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Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Report of the Secretary-General**

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* A/58/150.

** The present report contains replies of Member States and United Nations organs. In spite of a clear deadline set in the note verbale for submission of contributions, the Americas and Europe Division of the Department of Political Affairs has no control over late submissions.

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I. Introduction

1. In its resolution 57/11, the General Assembly requested the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to submit to the Assembly at its fifty-eighth session a report on the implementation of the resolution in the light of the purposes and principles of the Charter of the United Nations and international law.

2. Pursuant to that request, by a note dated 21 April 2003 the Secretary-General invited Governments and organs and agencies of the United Nations system to provide him with any information they might wish to contribute to the preparation of his report.

3. The present report reproduces the replies of Governments and of organs and agencies of the United Nations that had been received as of 16 July 2003. Further replies will be reproduced as addenda to the present report.

II. Replies received from Governments

Algeria

[Original: French]
[14 May 2003]

1. Algeria fully supported resolution 57/11 adopted by the General Assembly on 12 November 2002 on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba, and voted in favour.

2. Algeria fully supports paragraphs 2 and 3 of the resolution.

3. Accordingly, the Government of Algeria has not promulgated or applied any laws or measures the extraterritorial effects of which affect the sovereignty of other States.

Angola

[Original: English]
[30 May 2003]

1. The Republic of Angola has called, in the United Nations General Assembly, for an end to the economic, trade and financial blockade imposed by the United States of America against the Republic of Cuba because that blockade has been the cause of the poverty and misery suffered by the Cuban people.

2. The Republic of Angola sees, with indignation, that in spite of the adoption by the General Assembly and by other international organizations of numerous resolutions for the lifting of the embargo, there seem to be no signs of anything leading to a dialogue between the concerned parties for an end to the blockade.

3. The Republic of Angola, in face of this situation, reaffirms once again its determination to participate in the achievement of the United Nations goals, including a diplomatic settlement of the disputes between member countries, under

the principles of international law, and therefore urges the parties to do everything in their power to establish a political dialogue that might lead to the end of the blockade, for the benefit of both the Cuban and the American people.

Antigua and Barbuda

[Original: English]
[20 May 2003]

Antigua and Barbuda is in full conformity with General Assembly resolution 57/11. Antigua and Barbuda is a full practitioner of the freedom of trade and navigation and imposes no form of economic sanction on any country; consequently, there are no laws in Antigua and Barbuda of the nature identified.

Argentina

[Original: Spanish]
[12 June 2003]

1. The Government of the Argentine Republic has fully implemented the provisions of General Assembly resolution 57/11 and of previous resolutions concerning the economic, commercial and financial embargo imposed against Cuba.

2. On 5 September 1997, the Government of the Argentine Republic promulgated Act No. 24,871, which establishes the legislative framework governing the scope of application of foreign legislation within national territory. Under that act, foreign legislation which is aimed, directly or indirectly, at restricting or impeding the free flow of trade and the movement of capital, goods or persons to the detriment of a given country or group of countries shall neither be applicable nor have legal effects of any kind within the national territory.

3. Article 1 of the Act provides that foreign legislation which seeks to have extraterritorial legal effects, through the imposition of an economic embargo or limits on investment in a given country, in order to elicit a change in the form of government of a country or to affect its right to self-determination shall also be wholly inapplicable and devoid of legal effects.

4. Argentina's vote in favour of the adoption of General Assembly resolution 57/11 was an immediate and independent reflection of its traditional position in favour of eliminating this kind of unilateral measure, and its commitment to the Charter of the United Nations, international law and multilateralism.

5. Similarly, Argentina would like to refer to the explanation of vote given by the States members (Argentina, Brazil, Paraguay and Uruguay) and associate members (Bolivia and Chile) of the South American Common Market (MERCOSUR) when the relevant draft resolution was adopted, in which, aligning themselves with the nearly unanimous rejection of those unilateral measures by the international community, they stated that their application did not contribute to the promotion of a democratic system or to respect for and protection of human rights.

Armenia

[Original: English]
[12 June 2003]

The Armenian legal regime contains no laws or measures of the kind referred to in General Assembly resolution 57/11.

Bahamas

[Original: English]
[20 May 2003]

1. The Commonwealth of The Bahamas enjoys normal diplomatic and trade relations with the Republic of Cuba.

2. The Bahamas has not promulgated or applied laws or measures against Cuba that would prohibit economic, commercial or financial relations between the Bahamas and the Republic of Cuba.

Barbados

[Original: English]
[14 May 2003]

Barbados has consistently voted in faovur of the General Assembly resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" (most recently resolution 57/11) since it was first introduced in the General Assembly during the forty-sixth session in 1991.

Belarus

[Original: English]
[14 May 2003]

1. In the course of the fifty-seventh session of the General Assembly, the Republic of Belarus, together with the overshelming majority of other Member States, voted in favour of resolution 57/11. The Republic of Belarus thereby reaffirmed its commitment to respect for fundamental principles of sovereign equality of States, non-interference in their internal affairs and freedom of international trade and navigation.

2. The Republic of Belarus has consistently supported the invalidation of laws and measures unilaterally promulgated and applied by Member States, the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation.

3. Pursuant to the fundamental principles of international law, including the provisions of the Charter of the United Nations, the Republic of Belarus has never

applied, does not apply and has no intention of ever applying any of the laws or measures referred to above.

4. The Republic of Belarus believes that international disputes must only be resolved through negotiations on the basis of respect for the principles of equality and mutual benefit.

Belize

[Original: English]
[28 April 2003]

1. Belize has not promulgated or applied any law, regulation or measure, the extraterritorial application of which would affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation.

2. The Permanent Mission of Belize reaffirms its commitments to the purposes and principles enshrined in the Charter of the United Nations particularly the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which also form fundamental principles of international law.

Benin

[Original: French]
[23 July 2003]

1. The Republic of Benin has engaged in active and fruitful cooperation with Cuba since the establishment of their diplomatic relations. In recent years, this cooperation has been significantly enhanced, including with the holding of the fifth session of the Mixed Commission for Bilateral Cooperation Cuba-Benin in 2002 in Havana, in which several members of the Government of Benin took part, and which helped breathe new momentum into relations between the two States and their peoples in all fields.

2. The convening of this important Commission in itself constitutes a pledge of full and unconditional implementation of General Assembly resolution 57/11 on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

Bolivia

[Original: Spanish]
[15 May 2003]

The Government of the Republic of Bolivia has not adopted any laws or measures of the kind referred to in the aforementioned resolution. Consequently, there are no provisions, measures or laws which the Government of Bolivia would have to repeal or invalidate in this regard.

Botswana

[Original: English]
[13 May 2003]

The Republic of Botswana has never, and does not intend, to promulgate, apply and enforce any laws and measures of the kind referred to in General Assembly resolution 57/11. As reflected by its vote on the above-mentioned resolution, Botswana is opposed to the continued adoption and application of such extraterritorial measures and, in this regard, supports the immediate lifting of the economic, commercial and financial embargo against Cuba.

Brazil

[Original: English]
[13 June 2003]

1. Brazil reiterates its position that discriminatory trade practices and extraterritorial application of domestic laws run counter to the need for promoting dialogue and ensuring the prevalence of the principles and purposes of the Charter of the United Nations.

2. In accordance with General Assembly resolutions 47/19, 48/16, 49/9, 50/10, 51/1, 52/10, 53/4, 54/21, 55/20, 56/9 and 57/11, Brazil has not promulgated or applied any law, regulation or measure the extraterritorial effects of which could affect the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction, as well as the freedom of trade and navigation. Brazil's legal system does not recognize the validity of the application of measures with extraterritorial effects.

3. Companies located in Brazil are subject exclusively to Brazilian legislation. Measures by any country which violate the provisions of resolution 57/11, and which attempt to compel the citizens of a third country to obey foreign legislation, affect the interests of the international community as a whole and violate generally accepted principles of international law. They should be reviewed and changed, where appropriate, in order to bring them into conformity with international law.

4. Governments not complying with resolution 57/11 should urgently take further steps to eliminate discriminatory trade practices and bring to an end unilaterally declared economic, commercial and financial embargos.

Bulgaria

[Original: English]
[16 June 2003]

Bulgaria does not apply and has never applied economic or other sanctions against Cuba and retains diplomatic, commercial and economic relations, based on the willingness for the development of mutual cooperation. The Republic of Bulgaria does not accept the application of laws and unilateral punitive measures against any State which have not been adopted by the Security Council or the General Assembly of the United Nations.

Burkina Faso

[Original: French]
[8 July 2003]

1. Burkina Faso, in support of the principles and Charter of the United Nations, engages in cooperation with all Member States respectful of international law.

2. Aware of the harmful and restrictive effects of embargoes on civilian populations and on the most vulnerable sectors of society, the Government of Burkina Faso deplores the economic, commercial and financial embargo imposed by the United States against Cuba.

3. Burkina Faso continues to strengthen its cooperation with the Republic of Cuba while supporting a lifting of the embargo.

4. Indeed, Burkina Faso regularly enhances economic relations with its friend Cuba through the Intergovernmental Joint Commission for Economic, Scientific and Technical Cooperation established on 21 December 1983.

5. Thus, the eighth session of the Joint Commission was held from 5 to 7 June 2003 in Ouagadougou, chaired by the Deputy Minister for Foreign Investment and Economic Cooperation of the Republic of Cuba and the Acting Minister of State, Minister for Foreign Affairs and Regional Cooperation, responsible for Burkina Faso's regional cooperation.

6. At this important meeting, the two countries conducted an assessment of their joint programme of economic, scientific and technical cooperation over the period 2001-2003, which was concluded to have been of a satisfactory level.

7. Burkina Faso has therefore adopted a similar programme for the period 2003-2005 with a view to developing and intensifying the excellent relations that exist between the Republic of Cuba and Burkina Faso.

Burundi

[Original: French]
[8 May 2003]

1. The Government of the Republic of Burundi has always valued the good relations of friendship and cooperation that exist between Cuba and Burundi.

2. The Government of the Republic of Burundi welcomes the fact that these relations were actually strengthened despite the crisis that Burundi has been experiencing since 1993, and expressed through remarkably strong support from the people and the Government of Cuba to their brothers the people and the Government of Burundi.

3. As it has indicated in previous statements, the Government of the Republic of Burundi has made the principle of non-intervention and non-interference in the internal affairs of other States a watchword in its bilateral relations.

4. Further, the delegation of Burundi has always voted in favour of all General Assembly resolutions calling for the lifting of the economic, commercial and financial embargo imposed by the United States of America against Cuba.

5. On the above-mentioned basis, the Government of the Republic of Burundi has never promulgated and intends never to promulgate laws or measures to strengthen or expand the economic, commercial and financial embargo imposed against Cuba.

Cambodia

[Original: English]
[14 May 2003]

1. The Royal Government of Cambodia fully shares the view with many other United Nations Members that the continuation of such sanctions does not serve the interest of the United Nations Organization at all. In fact it creates more tension rather than solving the existing problems in this region. The strategy of the prolonged embargo clearly demonstrates an act of violation of human rights and of the rights of the Cuban people, who naturally deserve to live in peace with the rest of the world.

2. In this regard, the Royal Government of Cambodia wishes to appeal to all United Nations Members and the Secretary-General's kind reconsideration to bring a swift end to these sanctions against Cuba and provide it with humanitarian and development assistance.

Cape Verde

[Original: English]
[26 June 2003]

Cape Verde, in accordance with the principles enshrined in the National Constitution and in conformity with the spirit of the Charter of the United Nations, which promotes solidarity, cooperation and friendly relations among countries and nations, has never promulgated or applied any laws or measures of the kind referred to in the preamble to General Assembly resolution 57/11.

Chile

[Original: Spanish]
[2 June 2003]

1. In strict compliance with its obligations under the Charter of the United Nations and international law which, inter alia, provide for the freedom of trade and navigation, the Government of Chile has not promulgated or implemented laws or measures of the kind referred to in the preamble to the aforementioned resolution.

2. It should be pointed out that the Government of Chile is opposed to the economic, commercial and financial embargo imposed against Cuba and has therefore supported General Assembly resolution 57/11, in keeping with the statements made by heads of State and Government at the Ibero-American summits regarding the need to eliminate the unilateral application of economic and commercial measures against other States which may affect the free development of international trade.

China

[Original: English]
[22 May 2003]

1. Sovereign equality, non-interference in other countries' internal affairs and other relevant norms governing international realations should be duly respected. Every country has the right to choose, according to its national circumstances, its own social system and mode of development, which brooks no interference by any other country.

2. The differences and problems that exist among countries should be resolved through peaceful dialogue and negotiation on the basis of equality and mutual respect for sovereignty. The economic, commercial and financial embargo imposed by the United States on Cuba, which has lasted for too long, serves no other purpose than to keep high tensions between two neighbouring countries and inflict tremendous hardship and suffereing on the people of Cuba, especially women and children. The embargo, which remains unlifted, has seriously jeopardized the legitimate rights and interests of Cuba and other States as well as the freedom of trade and navigation and should, in accordance with the purposes and principles of the Charter of the United Naticns and relevant resolutions of the United Nations, be ended.

Colombia

[Original: Spanish]
[9 May 2003]

The Government of the Republic of Colombia, in accordance with the principles embodied in the Charter of the United Nations, has neither promulgated nor applied unilaterally any laws or measures against Cuba or any other State which could affect the free development of that State's economy or trade. Colombia has voted in favour of the resolutions submitted by Cuba every time this matter has been addressed by the General Assembly.

Congo

[Original: French]
[7 July 2003]

1. The Government of the Republic of the Congo is respectful of the rules of international law, in particular the Charter of the United Nations, and remains committed to the principle of multilateralism. It reiterates the principles of State sovereignty, non-intervention and non-interference in the internal affairs of other States and the freedom of trade and international navigation.

2. The Congolese Government wishes to point out that it voted in favour of the aforementioned resolution at the fifty-seventh session of the United Nations in 2002.

3. The Republic of the Congo has never adopted measures prohibiting economic, commercial or financial relations with Cuba.

4. As evidence of the excellent quality of their relationship, the Congo and Cuba held a meeting of a joint commission from 1 to 3 October 2002 in Brazzaville to assess their cooperation.

Costa Rica

[Original: Spanish]
[19 June 2003]

Costa Rica has not promulgated or applied any laws that might promote the economic embargo against Cuba. Therefore compliance with resolution 57/11 is satisfactory.

Cuba

[Original: Spanish]
[8 July 2003]

1. For more than 40 years, the Cuban people have confronted the economic, commercial and financial embargo imposed by the Government of the United States of America, one of the most cruel, inhuman and prolonged policies of hostility endured by any people in the history of human civilization.

2. From the moment the Revolution triumphed, when the people of Cuba made the enjoyment of their right to self-determination a reality by destroying the foundations of the neocolonial regime maintained on the island by the United States, the United States authorities imposed various economic sanctions against Cuba with the express goal of causing "hunger, despair and the overthrow of government", as stated in an official United States State Department document dated 6 April 1960.

3. Throughout these last 44 years, a total of 10 different United States administrations have merely reinforced and expanded the complex system of laws and measures that make up the embargo established by the United States Government against the people of Cuba.

4. This policy has inflicted and continues to inflict serious and onerous damages on the Cuban people's material, psychological and spiritual welfare, while seriously hindering its economic, cultural and social development.

5. It is enough to remember that 6 in every 10 Cubans have been born and have lived their whole lives under the system of sanctions described, which has been further accompanied by military aggression, biological warfare, illegal radio and television broadcasting, terrorist activities, attempts on the lives of the country's leaders, encouragement of illegal emigration, and other hostile acts promoted, financed, supported or permitted by successive United States administrations.

6. The primary goal of the embargo is quite simply that of effecting the economic and social asphyxiation of the Cuban nation, by depriving it of the basic means of survival. The prohibitions and restrictions imposed on the Cuban people by the embargo are totally lacking in any legal, moral or ethical basis. Pursuant to article 2, subparagraph (c), of the Geneva Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, the embargo imposed against Cuba qualifies as an act of genocide, and thus constitutes a crime under international law.

7. The current Republican Government of President George W. Bush has tightened the measures and prohibitions of the embargo to an unprecedented extent. Its actions are consistent with the traditional policy of the extreme right in the United States and the most extremist and violent sectors of the Cuban-American émigré community there, intent on undermining the very existence of the Cuban nation. It is worth remembering, in this regard, that the United States designs on Cuba are nothing new. From the very dawn of the emergence of the American Union, efforts were aimed at the annexation of Cuba, whether through purchase, cession or even armed force. These efforts were grounded in such policies as the Monroe Doctrine or the "ripe apple" theory, and served as a prelude, at that early date, to the interventionism and unilateralism that characterize the United States today. As such, following the United States intervention in 1898, the Republic of Cuba that emerged four years later was weighed down by a constitutional amendment which, for all practical purposes, converted Cuba into a colony of its northern neighbour, a situation that persisted until 1959 and the triumph of the Revolution.

8. By intensifying the embargo, the current United States President is in fact returning the decisive "favour" he received from the Cuban-American terrorist mob in Miami, which played a leading role in the fraud that allowed George W. Bush to usurp the presidency in the 2000 elections, as will be recalled. This mob is made up of corrupt politicians who profited from the hunger and blood of the Cuban people up until 1959, notorious torturers and murderers who took the lives of more than 20,000 Cubans, thieves who depleted the public treasury, and all of the human scum who sustained the Batista dictatorship and the United States neocolonial power over Cuba, along with their followers and heirs, as well as all those who have promoted, financed and continued to perpetrate the most criminal acts of terrorism against the Cuban people in these last 44 years.

9. The current United States Government's attempt to impose its own will upon the world as the only applicable standard, trampling international law and resorting to the indiscriminate and illegal threat and use of force for this purpose, has served seriously to encourage plans for aggression against Cuba, including military aggression.

10. Knowing perfectly well that they will never succeed in undermining the Cuban people's unshakeable support of the Revolution, the Cuban-American terrorist mob in Miami, important figures and militaristic hawks within the reactionary Republican administration governing the United States, and of course the mercenaries paid by both to operate within Cuba, have staked their hopes on the sinister idea of provoking an armed attack on Cuba by the United States.

11. Those who promote such aggression as a means of bringing an end to the process of revolutionary transformations sovereignly undertaken by the Cuban people have continued to fabricate, one after another, successive and false pretexts to promote their plans.

12. Consequently, Cuba is maintained, with no justification whatsoever, on the list illegitimately drawn up by the United States Department of State of countries that allegedly promote or protect terrorism in the world. In addition, Bush administration officials have repeated false accusations regarding Cuba's alleged capacity for the production of biological weapons.

13. At the same time, the United States Government — the same one that has assumed the right to limit the self-determination of any people in the world through its so-called "preemptive strikes", and is holding thousands of individuals in legal limbo and subhuman conditions at the Guantánamo Naval Base and in its own continental territory — uses blackmail and coercion year after year to impose a resolution that manipulates the human rights issue so as to fabricate an illegitimate pretext for its policy of hostility towards Cuba.

14. In this context, the Migration Accords signed between the two countries in 1994 and 1995 have been a particular target for attack by the enemies of the normalization of relations between the United States and Cuba. The basic goal is to put an end to the orderly migratory flow established in these agreements and thereby incite massive illegal emigration from the island, as a result of the difficult conditions imposed on the Cuban people by the embargo and the encouragement of illegal emigration entailed by the absurd and murderous "Cuban Adjustment Act". Unprecedented in history, this legislation stipulates special guarantees and rights, including residence in the United States, exclusively for Cubans who arrive on United States soil illegally. This treatment contrasts sharply with the way in which millions of citizens of other countries who reach the territory of the super-Power in the same way are hunted down, physically and psychologically abused, incarcerated and deported.

15. The response of the United States Government to the adoption of General Assembly resolution 57/11, which received the votes of 173 States in favour of demanding that the United States Government put an end to its policy of embargo against Cuba, has simply been an intensification of its illegal sanctions against the island.

16. Could the international community possibly allow such a grave affront to multilateralism, international law and the ethical and moral principles that guide international relations to go unanswered?

17. Cuba calls for an international order in which respect for international law prevails for everyone equally, as an unrenounceable paradigm of peaceful coexistence and justice on the planet. With the rightness of its cause and the solid unity forged in its historic battle for the full exercise of its sovereignty, Cuba will endure and triumph over the United States attempts to wear down its commitment to independence through hunger, disease and the wide array of obstacles to its economic and social wellbeing and progress.

18. The information compiled in this report, which is only a part of what can be said publicly, includes overwhelming evidence and detailed examples of the damages caused by the embargo to the Cuban people, with emphasis on the most recent incidents.

1. The United States embargo against Cuba: establishment, application and strengthening

19. Any consideration of the embargo policy should be undertaken from a historical perspective, for this is the only way to get a full picture of the enormous challenges that the Cuban nation has been facing for more than two centuries. Never has a country been subjected in such a continuous and permanent manner to the danger represented by a powerful neighbour that has historically attempted to

dominate and annex it. History has left no room for doubt as to the true intentions of the United States policy towards Cuba, especially since the triumph of the Cuban Revolution in 1959.

20. In its zealous attempts to destroy the political, economic and social system established by the Cuban people with their Revolution — sustained, consolidated and developed through the firm and sovereign will of the overwhelming majority of the people — the application of economic sanctions has been a cornerstone of the United States policy of hostility and aggression towards Cuba.

21. Preliminary studies show that the damages resulting from the application of this genocidal policy against Cuba now surpass $72 billion. This is a conservative figure, and does not include the more than $54 billion in direct damages caused to Cuban economic and social targets through acts of sabotage and terrorism promoted, organized and financed from the United States.

22. The absolute falseness of the various excuses used by successive United States administrations for more than four decades to attempt to justify the economic and political war against Cuba has in fact been demonstrated in official United States documents declassified in 1991. These documents include testimonies and irrefutable proof that this hostility predated any measures adopted by the Revolutionary government of Cuba from 1959 onwards.

23. The economic war against Cuba began long before the embargo was formally established through an executive order of the President of the United States. Its extraterritorial nature, institutionalized through the 1992 Torricelli Act, has always affected trade, financial relations and investments not only between the United States and Cuba, but also between Cuba and third countries.

24. The embargo abruptly and drastically cut Cuba off from all ties with the United States, our closest market, the country with which Cuba had historically carried out the bulk of its foreign trade, and to which we were technologically linked as well.

25. Cuba was then obliged to redirect its economic ties, and search out new sources of supplies and markets for its exports in much more distant regions of the world. All of this entailed enormous expenditures on transportation and freight costs, and oversized inventories and reserves, with the high cost implied by the tying-up of resources.

26. The problems faced by the Cuban economy as a result of the embargo were even further aggravated when, after the disintegration of the socialist economic cooperation system and of the Soviet Union itself, Cuba was hit once again by the rupture of ties with its traditional trade partners, this time, the USSR and the countries of Eastern Europe. As far as the United States was concerned, this was the perfect moment to deal a final blow to the Cuban Revolution.

27. Thus, in 1992, the Torricelli Act was passed, abruptly cutting off Cuba's purchases of food and medicine from subsidiaries of United States companies based in third countries and establishing strict prohibitions against ships entering Cuban ports.

28. Still not satisfied, however, due to their failure to bring about the collapse of the Cuban economic and political system, the United States passed the Helms-Burton Act in 1996. This legislation endowed all the embargo's prohibitions with

the status of law and sought to prevent foreign investment in Cuba. At the same time, it institutionalized subversion, financed and directed by the United States Government, as a means of breaking the independent will of the Cuban people.

29. This legislation, which extended to the entire international community, has been complemented by subsequent provisions and measures aimed at even further reinforcing the embargo.

30. The United States Government's declared disrespect for the rule of international law did not end with the adoption of the Helms-Burton Act in 1996. In open violation of the legislation and commitments of the United States regarding intellectual property, and particularly the Agreement on Trade-Related Aspects of Intellectual Property, the United States Government passed Section 211 of the Omnibus Appropriations Act of 1999. Section 211 is being used in an attempt to steal the Havana Club brand name from its legitimate owners, with the goal of granting the right to market Havana Club rum, first in the United States and then in third countries, to spurious and illegal claimants.

31. As denounced in the report submitted by Cuba last year, in document A/57/264, the fraudulent coming to power in the United States of the administration of George W. Bush has resulted in an escalation of anti-Cuban rhetoric and greater support for the extremist and terrorist Cuban-American organizations in the state of Florida, to whom the current occupant of the White House owes his election. His ties with these groups, whose terrorist and pro-annexation activities are well known, have led to a toughening of the policy of embargo against the Cuban people.

32. While these economic sanctions and restrictions have been accompanied throughout more than four decades by initiatives to create, finance and direct internal subversion on the island, this particular administration has increased open support for the subversion of the Cuban constitutional order to unprecedented levels. The United States Interests Section in Havana has been used to provide resources and financing and issue instructions to groups of mercenaries paid by and working for the super-Power, with the aim of fomenting subversive and pro-annexation activities within Cuba. This is a clear violation and challenge to Cuban institutionality and the Vienna Convention on Diplomatic Relations.

33. Added to all of this is the decision by President George W. Bush to designate and promote officials with an openly anti-Cuban stance to key positions in the United States Government. The consistently threatening discourse of President Bush and these officials with regard to Cuba is clear evidence of the dangers facing the Cuban people. Some of them have gone so far as to state that military aggression against Cuba has not been definitively ruled out.

34. The escalation of anti-Cuban propaganda and the United States violation of the bilateral Migration Accords — including, among other serious aspects, a drastic reduction in the granting of visas for both emigrants and temporary visitors to the United States from our country — are aimed at provoking a migratory crisis that could be used as a pretext for intervention in Cuba.

35. On 26 March 2003, United States Secretary of State Colin Powell announced the granting of significant federal funds to support illegal radio and television broadcasting aimed at Cuba, which contravenes the regulations established by the International Telecommunication Union (ITU). The violation of our radio space with over 2,200 hours of broadcasting against Cuba weekly is aimed at fomenting

internal subversion, acts of sabotage, illegal emigration, and the dissemination of outrageous lies and hoaxes against our country.

36. As part of the Bush administration's commitments to the Miami Cuban-American mob, on 20 May 2003, in a clear escalation of radio aggression, the station created and operated by the United States Government for the purpose of promoting subversion in Cuba, and insultingly given the name of José Martí, began broadcasting on four new frequencies. This attack led to interferences in Cuban radio broadcasting.

37. On the evening of that same day, the television signal beamed towards Cuba for the same purposes by the official United States propaganda agencies went on the air from 6.00 to 10.00 p.m., broadcasting from a U.S. Armed Forces aircraft and using channels and systems legally assigned to Cuban television stations and duly registered with the International Telecommunication Union (ITU), severely affecting Cuban television services, particularly educational and cultural programming.

38. Previously, on 24 March, the Office of Foreign Assets Control (OFAC), one of the United States Government agencies that ensures the implementation of the embargo, had issued new regulations tightening the embargo policy. Even further restrictions were placed on travel to Cuba by United States citizens, and the granting of licenses for people-to-people educational exchange was completely eliminated. At the same time, in keeping with this escalation of aggression, steps were adopted to facilitate travel to Cuba for those who want to come to our country in order to supply the mercenary groups who conspire to subvert the Cuban constitutional order.

39. These new regulations followed a toughening of sanctions against United States citizens who travel to Cuba. One of the most publicized cases has been that of Joan Slote, a senior citizen and retired health care sector worker, who travelled to Cuba for eight days two years ago. What was the crime committed by this 74-year-old woman? Going on a trip to Cuba and travelling through a part of the country on bicycle. For this "serious violation" of the embargo regulations, she was given a fine of $8,500.

40. To cite another example, how can it be explained that more than 10 patients from the United States who requested permission to travel to Cuba in 2002 for ozone therapy services at a prestigious Cuban scientific institution were not allowed to visit the country and benefit from these treatments, as a result of the embargo policy? Does such a policy make any sense whatsoever? Finally, it is worthwhile to recall that Cuba is the only country off limits to United States citizens by law.

41. Sales of food to Cuba, only recently authorized, are subject to complex procedures and rules that make them enormously difficult to carry out. United States companies are obliged to go through complicated bureaucratic steps to obtain a license authorizing them to sell their products to Cuba. In addition, our country is obliged to pay for all purchases in cash, with no possibility of financial credit, not even from private sources; these payments must be made through banks in third countries and in other currencies, leading to losses as a result of the necessary currency exchange operations.

42. Transportation of the products that can finally be bought must be carried out by ships from the United States or third countries, after a licence is obtained for this

purpose. Cuba cannot use its own maritime fleet for these commercial operations, resulting in considerable losses.

43. This is compounded by the fact that our country cannot make any sales whatsoever to United States companies interested in buying Cuban products, which therefore rules out the possibility of generating a source of income that would allow for the expansion of these operations.

44. Finally, trade between sovereign States is not conceivable in the absence of a normal system of relations between businesses, permitting negotiation, a normal flow of finance, air and sea transportation, the benefit of the usual means of support for foreign trade and the essential access to credit.

45. The United States Government uses its powerful media to inundate public opinion in the United States and around the world with a demonized image of the political, economic and social system that the Cuban people have freely chosen for themselves, by an overwhelming majority. At the same time, however, it seeks to silence the international community's rejection of the genocidal embargo policy, under which numerous generations of Cubans have suffered.

46. Likewise, it ignores and attempts to conceal the resolutions calling for the ending of the embargo which have been adopted by the United Nations General Assembly every year since 1992, and which received an unprecedented number of votes in favour last year in this forum of universal participation.

47. Far from responding to this call for a change in policy towards Cuba, made by the international community and a growing number of sectors in the United States itself, including Republican and Democrat legislators in both houses of Congress, the current administration has not only adopted an even tougher and more confrontational discourse, but has also continued to step up the measures and actions aimed at intensifying the embargo against the Cuban nation even further.

48. Nevertheless, there are more voices joining in the rejection of the policy of embargo against Cuba every day. The visit to our country by 13 United States Congress members during the first quarter of 2003 and the introduction in Congress of six initiatives in favour of the lifting of the sanctions regime are a palpable example of the growing rejection of current United States Government policy towards Cuba on the part of important sectors of United States society.

49. The United States Government's continued application of this aggressive policy and the rising hostility aimed at the Cuban people by the current administration are irrefutable proof of the total contempt shown by the super-Power's top leaders for international law and the purposes and principles of the Charter of the United Nations.

50. At a time when threats of war loom over the world, and the most formidable power in history is attempting to impose a Nazi-fascist dictatorship on a global scale, the Cuban people will continue to denounce the genocidal embargo policy, and with the same strength and determination, they will defend the achievements and conquests made in the process of profound revolutionary transformations.

2. The extraterritorial nature of the embargo policy

51. A brief overview of the main acts of legislation that serve as the basis for the extraterritorial application of the embargo policy will suffice to demonstrate the

immorality and illegitimacy of the United States claim that the embargo is a bilateral issue between two countries.

52. In 1992, as a result of the triumphalism reigning in the United States after its strategic victory in the so-called Cold War, the prevalent view among the country's imperialist circles was that the time had come to destroy the Cuban Revolution once and for all. This was what led to the adoption of the Cuban Democracy Act, better known as the Torricelli Act.

53. At the time the Torricelli Act was signed, Cuba acquired vital goods like medicine and food from foreign branches or affiliates of United States companies based in third countries. In 1991, the volume of trade with these subsidiaries was about $718 million, of which 91 per cent comprised food and medicine. This trade was drastically cut off as a result of the Torricelli Act.

54. By virtue of this legislation, ships registered in any nation that touched port in Cuba or transported goods to or on behalf of Cuba were prohibited from entering United States ports for a period of 180 days, under threat of inclusion on a "blacklist", in open violation of the basic norms of freedom of trade and navigation enshrined in international law, international agreements and United Nations provisions on this matter.

55. As if this contempt and violation of international law were not sufficient, in 1996 the United States adopted the so-called Helms-Burton Act, aimed not only at obstructing trade between Cuba and the rest of the world, but also at halting the incipient process of foreign investment in Cuba in the form of capital, technology and markets.

56. With this legislation, the United States assumed the right to decide, officially and publicly, on issues that should be exclusive attributes of the sovereignty of other States.

57. In addition, the act instructs the Secretary of State to prohibit entry into the United States for all officials and executives of companies that violate the iron-clad embargo against Cuba, denying them free access to United States territory and obliging the Secretary of State to compile a list of "excludables".

58. While both pieces of legislation intensified and aggravated this unacceptable violation of international law, by giving it a congressional seal and presidential approval, the provisions that preceded them and their practical application had always entailed transgressions against the sovereignty of other nations.

59. The United States Government has applied its own legislation on an extraterritorial basis, in contempt of third countries' legitimate interests in investing in and developing normal economic and commercial relations with Cuba. It has unleashed persecution on companies and their personnel for establishing or even proposing to establish economic, commercial or scientific and technical relations with Cuba.

60. Not a single sector of the Cuban economy has escaped the extraterritorial effects of this policy. Of the $625 million in damages to Cuban foreign trade in the year 2002 as a consequence of the embargo, $178.2 million, or 26 per cent, were a direct result of its extraterritorial effect.

61. There are more than sufficient examples to demonstrate the continuity of this policy, to which there are no exceptions, not even among the United States closest allies. Here are just a few:

62. As part of its normal consular banking operations, the Cuban Embassy in the United Kingdom attempted to cash a check for 30,000 pounds sterling at Citibank N.A. The check had been issued by First Choice Holidays as payment for tourist cards. The travel agency in question has been purchasing these cards for several years and has always paid for them with Citibank checks, which have previously been cashed without difficulty of any kind.

63. However, in November of 2002, the check was returned. Citibank stated that it could not honour the check because of United States sanctions against Cuba. The travel agency was surprised by the bank's response and issued another check from a United Kingdom bank, which was cashed without difficulty.

64. Citibank N.A. of London is a branch of a United States bank and this incident, according to a written communication from Citibank, was a direct result of the United States embargo against Cuba, made extensive to branches or banks overseas.

65. In February 2003, the United Kingdom company ITS Caleb Brett, which had been providing services for more than 25 years to the Cuban company Servicios Internacionales de Supervisión CUBACONTROL S.A., decided to cut off all ties with Cuba, in compliance with the Cuban Assets Control Regulations of the United States Treasury Department.

66. ITS Caleb Brett circulated instructions to all its branches throughout the world to turn down all requests for service from Cuba and to refuse to provide services for any shipments transported to or from the island. In view of this situation, the Cuban company was obliged to seek out other companies to provide the same services.

67. On 7 October 2002, the Cuban company Aerocarribean was forced to cease operating a Boeing 737 plane leased from the Chilean company Skyservice and return it immediately to Chile, its country of registration. The hastiness of this withdrawal stemmed from the fact that the Chilean company had cancelled its contract with Cuba as a result of pressures from the United States Government.

68. This was confirmed by a written communication sent by Boeing, which stated that owing to decisions adopted by the United States Government, it was unable to provide products, services or any other means of support to Skyservice in view of its charter operations to Cuba. As a result, in addition to other damages, the Cuban company lost close to $1 million through its inability to fulfil contracts signed with third parties and the cancellation of negotiations to establish charter flights.

69. In a blatantly extraterritorial application of the policy of embargo against Cuba, the United States Treasury Department arbitrarily keeps a list of "specially designated nationals" of Cuba. This list includes the Japanese company Kyoei International, which has close ties with Cuba. As a result of this measure, which is clearly aimed at intimidating other companies, Toyota and Mitsubishi have refused to make direct sales to Cuba so as not to meet with the same fate as Kyoei and to protect their ties with the United States market.

70. In early February 2003, a report was published on the Internet by Fairplay Daily News, announcing that Ceres Terminals Inc., a United States company that operates the Fairview Cove container terminal in Halifax, Canada, had refused to

quote stevedoring rates for the Italian shipping line Costa, because the line touches port in Havana. This decision was allegedly based on the advice of their lawyers, out of fear of potential problems with Washington due to the presence of containers loaded in the port of Havana.

71. In early 2003, negotiations for the purchase by Cuba of baby food were frustrated by the foreign supplier's fear of sanctions under the Helms-Burton Act. The search for a new supplier led to a considerable delay in the contracting and subsequent purchase of the product in question, with obvious consequences for the Cuban industry involved.

72. On 23 March 2003, a ship left Havana with a container of 1,894 boxes of Tropical Island brand juice, produced by the Cuban company Río Zaza and purchased by the Japanese company ASHU-4. There were plans for a stopover in a port along the way.

73. Based on the decision made by one of the shipping company's specialists to save five days' sailing time, the stopover was made in the port of Los Angeles, United States of America. Under pressure from United States federal authorities, the container was seized, allegedly in compliance with the restrictions imposed by the embargo. This incident proves what an irrational and ridiculous extent the embargo policy can reach.

74. The United States, self-proclaimed champion of free trade around the world, is the same country that seeks to force the entire world to participate in the embargo against Cuba, violating the most basic norms of free trade.

3. Damages in the fields of health care, food, education and culture

75. For more than 40 years, and since the very beginning of the genocidal embargo policy, the Cuban national health care and educational systems and the realization of the Cuban people's right to food have been top-priority targets for United States aggression. These attacks have not spared the population's cultural development, despite the fact that this particular sector, given its heritage value for every people and for humanity as a whole, has generally been respected even in the most brutal armed conflicts in the history of human civilization.

76. Actions aimed at creating the conditions to bring about hunger and disease, and thus undermine the people's support of the Cuban Revolution, have consistently been a part of the concrete plans and programmes of the dirty war against Cuba.

3.1. Health care

77. The efforts and programmes carried out in Cuba to provide the population with health-care services that are free, universal, modern and efficient, ensuring a high degree of protection and a long life expectancy, are widely known and recognized. Despite the economic difficulties facing the country, this sector has continued to be a priority, with the development of a health care system that extends to every corner of the country and has made it possible to achieve and maintain major accomplishments in this sector.

78. Nevertheless, Cuban health-care services have been continuously threatened by the United States embargo policy. The restrictions imposed on the acquisition of medical supplies and technology from the United States for use in the national

health care system, the obstacles to medical treatment that this entails and the lack of access to advanced scientific and medical information have caused considerable damage to Cuban public health care services.

79. The impossibility of acquiring the necessary medicines or equipment has at times prevented Cuban doctors from saving lives or relieving suffering, resulting in physical and psychological damage to patients, their relatives and medical professionals themselves.

80. A few of the most recent cases that illustrate these consequences are set forth below.

81. A current example is related to Severe Acute Respiratory Syndrome (SARS). The Pedro Kourí Tropical Medicine Institute in Cuba has been unable to acquire the Vitrogen diagnostic kit used to detect the coronavirus that causes the disease. As a result, it has been obliged to acquire other diagnostic means through third parties, at much higher prices.

82. The companies that manufacture equipment and reagents for diagnostic purposes are, in 70 per cent of cases, United States-owned. Consequently, the supplies needed for the work of clinical laboratories must be imported from Europe, at much higher prices. For example, the Beckman-Coulter, Dade-Behring, Abbot and Bayer companies do not allow the sale of their technologies to Cuba, and some of these are the only ones of their kind in the world.

83. The effects on the availability of medicine, disposable material and replacement parts for equipment, particularly those used in the treatment of patients in emergency, intensive therapy and surgical wards, as well as other services for both adults and children, have made the conditions in which medical personnel carry out their work extraordinarily difficult.

84. Only the tremendous effort, dedication and scientific training of Cuban health-care workers have made it possible to maintain and even improve many of the health care indicators.

85. The care of children with cancer is one of the areas most severely affected by the embargo measures:

86. The purchase of cytostatics, vital for these children's survival, has been seriously affected by the fact that United States transnationals have bought the pharmaceutical laboratories that formerly had contracts with Cuba.

87. The United States company Varian Medical Systems acquired the brachytherapy business of the Canadian company MDS Nordion, which formerly supplied brachytherapy equipment to Cuba. As a result, the Cuban public health system has been unable to purchase the sources of Ir-192 radioactive isotopes used for radiation treatment of cancerous tumours.

88. There has also been a profound effect on the health-care programme established for children who need transplants, due to the impossibility of acquiring the necessary technology. The struggle to save the lives of the children who need to undergo these risky surgical procedures has often made it necessary to take them to other countries, resulting in extremely high financial costs and major inconveniences for their families.

89. The quality of medical care for disabled children has been limited by the scarcity of medicines like corticosteroids, third-generation antibiotics, antioxidants and children's catheter bags, all of which are sold at lower prices in the United States market, to which Cuba does not have access in practice.

90. Restrictions in the epidemiological sector extend even to cooperation between scientific institutions in the United States and Cuba. For example, a rotavirus study project to be funded by United States scientific centres was recently turned down. The rotavirus causes a severe diarrhoeal disease in children which leads to a high number of deaths, particularly in third world countries.

91. This study would have made it possible to determine the scope of the spread of the rotavirus in Cuba, an essential element in the search for a possible vaccine against the virus, which would have a tremendous impact on preventing diarrhoea-related deaths in children around the world.

92. Dr. Roberto Fernández, head of the Biosecurity Department of the Pedro Kouri Tropical Medicine Institute, requested a biosecurity catalogue from a major United States company, a normal practice used by scientific centres throughout the world to obtain updated information on products available on the world market. Dr. Fernández received a fax from the above-mentioned company informing him that it would be impossible to send the catalogue, given the prohibitions imposed by the United States Department of State.

93. Another area with a direct impact on the health of the population is the supply and chlorination of water for human consumption. To date, no suppliers have been found for replacement parts for water chlorination equipment from the United States companies Wallace & Tiernan and Capitol. Given the impossibility of buying the parts directly from the suppliers, potential vendors have been found in third countries, at a cost $60,000 more than it would have been in the United States.

94. The criminal application of the policy of embargo against Cuba extends even to the activities of United States non-governmental organizations. This is the case of the Disarm Education Fund, an NGO that was prohibited from sending a donation of medicine to Cuba until two antibiotics were removed from the shipment; the antibiotics in question, Cipro and Doxycyclin, are used, among other things, for treating patients infected with anthrax. The United States authorities alleged that the decision was based on reasons of national security.

95. On 10 April 2003 the United States Department of Commerce issued a final decision to deny an export licence to USA/Cuba InfoMed, a humanitarian non-governmental organization based in California, which was planning, as on previous occasions, to donate 423 computers to health-care institutions in Cuba. The computers donated are installed in Cuban hospitals and clinics as part of the diagnostic and medical information network.

96. On this particular occasion, the computers were to be sent to the Nephrology Institute and the national network for the treatment of kidney diseases, to facilitate an epidemiological study for the prevention of chronic kidney ailments. Computers were also to be given to the cardiology department of the William Soler Pediatric Hospital, the national paediatric cardiology network, and the Latin American School of Medical Sciences, which is attended by more than 7,000 young people from low-income families in Latin America, the Caribbean, the United States and Africa.

97. These computers were similar to others donated previously, with the same processing capacity as computers sold in any retail store in the United States. However, according to the letter denying the request for a licence, the United States Commerce, State and Defense Departments had reached the conclusion that this export would be detrimental to the interests of United States foreign policy. The United States Government had reviewed the letter sent by the organization challenging the initial denial of a license, and had maintained its decision to deny the request, due to the allegedly high levels of processing capacity of the computers in question and the risk that they would be diverted for unauthorized uses or users.

3.2. Food

98. One of the highest priority targets of the United States Government's economic war on Cuba has been the food sector. Generating the conditions that lead to hunger and despair qualifies, by virtue of international law, as a crime of genocide and a violation of the Cuban people's right to food.

99. The embargo measures affect imports of food products for the Cuban population, both for direct consumption in the home and social consumption in schools, old age homes, hospitals and day-care centres. They have a direct impact on the people's nutritional levels and consequently on their health.

100. The prohibitions imposed by the United States Government on the export of food products to the United States led to $114 million in losses for Cuba in the year 2002 alone.

101. The fact that operations must be carried out in only one direction also prevents the rational and efficient use of transportation, given that ships leave Cuba in ballast. This is the case even when the next destination of the [illegible] is not the United States.

102. By way of example, in the case of bulk shipments, approximately 36 per cent in transportation costs could be saved, as freight costs are on the order of $15.50 per metric ton, whereas that figure could be reduced to approximately $10 per metric ton if vessels could take cargoes back to the United States.

103. The regime of trade disparities corroborated in the so-called Trade Sanctions Reform and Export Enhancement Act passed in October of 2002, while allowing the controlled sale of foodstuffs to Cuba, is irrefutable proof that the embargo, far from being eliminated, is still fully in force, especially due to the rigorous application of additional restrictions to those already established in previous legislation.

104. In view of this situation, and despite the difficulties and limitations that have prevailed in this one-way trade, the purchase of foodstuffs has been the result of enormous efforts by companies in both countries to succeed in the negotiation, contracting and execution of sales operations.

105. If trade could be carried out between both countries under normal conditions, the benefits for United States farmers and consumers and for all Cubans would be considerable.

106. For example, if Cuba had not been forced to spend an additional $22.4 million to import food from other markets last year, it could have used that money to purchase 52,000 metric tons of bread wheat, 40,000 metric tons of rice and 4,000

metric tons of powdered milk from the United States. This would have enriched the basic diet of the Cuban population, while benefiting United States producers as well.

107. The agricultural sector, whose development is essential for food production and consequently for improving the nutrition of the Cuban people, suffered damages of $108.5 million as a result of the United States embargo.

108. The export of tropical fruit to the United States was historically a major Cuban export line until 1959. Given the tariff concessions offered by the United States on imports of fruit, Cuba could export 13 million tons of avocados, mangoes, coconuts, papayas and other fruits to that country, representing approximately $25 million in income.

109. With regard to exports of citrus fruits and their derivatives, losses in prices and freight costs are estimated at $4.5 million per year. Approximately 50 per cent of current exports could be redirected to the United States market, among other reasons, because of the different dates of the grapefruit season in Cuba and Florida. This means that Cuban grapefruit would not compete with those domestically grown.

110. Seed potatoes must be imported with freight costs 50 per cent higher than if these were bought from the United States. With this money alone, Cuba could sow an additional 2,300 hectares and thus produce an additional 57,000 tons, at least, which would obviously benefit the population.

111. The embargo also prevents Cuba's access to the most advanced technologies in the area of animal feed, developed by the United States. If Cuban farmers had access to these technologies, with the current poultry farming stock, they could increase egg production by 291 million units and poultry production by 8,800 tons.

112. The direct cost of the embargo in the poultry production sector is estimated at $59.6 million. Solely owing to the need to acquire the raw materials for poultry feed in distant markets, this sector incurs additional costs of more than $10 million per year.

113. Likewise, the restrictions imposed on Cuba in the acquisition of fuel, spare parts for farming equipment, cargo transportation, pesticides and fertilizers have a negative impact on agricultural and livestock yields. The country must import about 35,000 tyres of different sorts every year, 80 per cent of them from Asia and the rest from Eastern Europe, which results in close to half a million dollars in losses through freight costs alone.

114. Veterinary services are also affected by the pressures exercised by the United States authorities to obstruct the acquisition of raw materials for the production of medicines, equipment and diagnostic kits, the latter being produced exclusively by United States companies in the majority of cases. These measures have a direct impact on the efforts to combat diseases affecting Cuban animal stocks, some of which were deliberately introduced into the country as a consequence of biological warfare waged by the United States. The fight against just two of these diseases, bovine nodular dermatosis and varroasis in bees, costs the country close to $1 million per year.

3.3. Education

115. All Cubans, without distinction as to gender, race, political beliefs or religion, have equal access to education, free of charge, at every level of education, including university.

116. For more than 40 years, the Cuban education system has suffered heavy losses as a result of the economic war against our country. The intensification of the genocidal embargo policy over the last decade has had a significant impact on the supply of basic materials for the education of Cuban students.

117. Due to the restrictions imposed on Cuba by the embargo, purchasing power for the importing of materials and resources for Cuban schools has decreased by 25 per cent to 30 per cent since the early 1990s, since these goods must now be acquired in distant markets, and sometimes at higher prices. In the year 2002 alone, Cuba imported $11.7 million worth of materials from Asian markets; if it had been possible to purchase these materials from the United States, freight costs would have been significantly lower, and thus a greater amount of merchandise could have been bought with the same amount of money.

118. Due to the difficulties in making purchases, the supply of pencils, workbooks and paper for general education use is still only half of what was acquired in 1989. Despite the enormous efforts being made, only 50 per cent of the necessary textbooks and reference materials are being printed, while the effects of ageing and deterioration are felt in physics, chemistry and biology laboratories, as well as vocational workshops in high schools.

119. One of the sectors most severely affected has been the Cuban special education system. There are many examples of the difficulties faced in this important effort as a consequence of the embargo.

120. To import the Braille machines needed for the education of blind and visually impaired children, the country has had to pay up to $1,000 a unit in other markets, when the same machines could have been bought in the United States for only $700. The same is true of the purchase of braillon paper, essential in this area of education.

121. The national programme for the construction of special education schools has also been affected as a consequence of this criminal policy. The lifting of the embargo would lead to a significant improvement in special education, allowing for the construction of all the schools planned under this programme and fuller, more fruitful participation in society on the part of children and young people who suffer from some sort of disability.

122. Despite the impact of these adverse effects on the possibilities for greater development of the skills and capacities of Cuban children and youth, the Cuban Government has mobilized copious resources and trained a highly qualified staff of professors to maintain the country's educational achievements and overcome the challenges posed by the embargo.

123. The shortages resulting from the intensification of the embargo have been counteracted by the political will of the Cuban Government to maintain and improve the population's level of education and knowledge. This is demonstrated by the allocation in 2003 of more than three billion pesos, or 23.8 per cent of the total annual budget, for funding the educational system.

124. Despite the international recognition of its educational programmes, including that of UNESCO, Cuban society aspires to achieve even higher levels of general and comprehensive education and culture, so as to reach first place worldwide in these spheres. With this goal in mind, numerous educational programmes have been under way since the year 2000.

125. Worthy of mention is the school computer programme, for which the goal is to supply schools with the computers needed for the work of all students; the teacher training programme, aimed at fulfilling the growing demand for teachers; and the art instructor training programme, to enhance the promotion of art and culture in every school and community.

126. The audio-visual programme, for its part, has resulted in the supply of a television set for every school classroom and a VCR for every 100 students, along with the launching of a new television channel; a second educational channel will be introduced in the near future.

127. At this point in time, 74 per cent of the total number of children enrolled in primary school are taught in classrooms with no more than 20 students each. Strenuous efforts are being made to extend this maximum class size to all the country's primary schools, while a similar programme has begun in the country's junior high schools. Cuba has reiterated its willingness to share the advances it has made in this sphere with all the countries of the world, and has offered UNESCO the new methodologies created by Cuban educational specialists.

3.4. Culture

128. For more than 40 years, the embargo has deprived the peoples of the United States and Cuba of the valuable cultural expressions of both nations by limiting or prohibiting the presence in Cuba and the United States of the principal exponents of their art and literature. The negative consequences caused by the application of these absurd sanctions on the cultural development programmes carried out by the Cuban Government have been significant.

129. The damages to this sector are reflected, among other aspects, in the denial of access to the United States market of cultural goods and services to acquire the necessary supplies for the creation and teaching of art, as well as for the functioning of the cultural industries. They are also felt in the obstacles to our creators' enjoyment of the exercise of their intellectual rights and in the exclusion of Cuba from hemispheric meetings of Ministers of Culture.

130. One of the most ridiculous measures applied by the United States Government is the prohibition of performances by Cuban artists in that country for commercial ends. Cuban artists are not allowed to sign commercial work contracts in the United States, and thus cannot receive fees for their performances, not even through the agencies representing them, despite the interest of impresarios, producers and institutions in marketing Cuban cultural and artistic productions.

131. The United States was historically a regular venue for performances by Cuban musicians and a primary market for the Cuban recording industry. Between May of 2002 and April of 2003 alone, there were 497 performances in the United States by 32 Cuban artists or groups, whose artistic level, quality and audience popularity should have garnered over $13 million.

132. Copyrights and royalties are recognized by almost all the countries of the world. Nevertheless, Cuban intellectuals are denied these in the United States because of the restrictions of the embargo.

133. Despite the fact that in 1994, the United States Congress modified the "Free Trade in Ideas" Act through the Berman Amendment, which recognizes that Cuban composers should receive royalties for the public performance and radio broadcasts of their works, United States institutions continue to refuse to establish negotiations or working relations with our music publishers.

134. Due to this situation, payments to Cuban artists are frozen in United States banks and have been illegally placed at the disposal of United States entities, depriving the true copyright owners of their enjoyment.

135. At the same time, United States banks delay transfers of funds under the above-mentioned Act using the pretext of avoiding the risk of committing a violation of the regulations established by the embargo and monitored by the OFAC, with a consequent loss in monetary value.

136. A particularly significant effect is the lack of Cuban institutional participation in the United States art market. It is impossible to take part in auctions like those at Christie's or Sotheby's, or in art fairs like Art Miami and Art America, or to hold commercial exhibitions. Taking into account that the United States is home to the world's most important galleries and fairs, the damages incurred by our artists through this exclusion are incalculable.

137. Cuban writers of international renown have been unable, to a great extent, to be published in the United States, which has resulted in significant cultural and economic damage, not always quantifiable.

138. The Spanish-language book market is one of the most important in the United States. Being cut off from this market, or participating in a limited manner due to enormous bureaucratic, tariff and transportation obstacles, means that Cuban books are either excluded or unable to compete.

139. Trade relations with potential distributors of Cuban books have been adversely affected as well. Well-known are the pressures and sanctions applied against counterparts in the United States and even in third countries, affecting relations and participation in book-related events, such as the Miami Book Fair. An example is the cancellation of negotiations for publications to be sent to Miami through Lecturum, a company with headquarters in Mexico.

140. The higher prices of supplies imported for the art industry, given the impossibility of purchasing them in the United States, and the accompanying increase in freight costs, have a particularly strong impact on our national culture.

141. Not a single sector of the Cuban cultural sphere is spared these effects. Among the most significant examples is the National Ballet of Cuba, an institution of international renown, which is prohibited from purchasing ballet shoes, costumes and set design materials from the United States, which raises difficulties in staging performances and major additional expenses.

142. The impact of the embargo on the imports of the Cuban Cultural Fund is one of the principal problems this institution faces. An illustrative example is the purchase of Spectrum glass, used by stained glass artists to create windows and lamps, using

traditional leaded crystal techniques, as well as other decorative works. The opaline glass used for lamps can be purchased for $12 per square metre in the United States, but in order to acquire this same material, Cuba must pay $41 per square metre in Italy or $36 in Spain.

143. The same is true for a wide range of other art supplies, including oil paints, acrylic paints, gesso, linen and cotton canvases, primed or unprimed, brushes, varnishes and others.

144. Cuba has lost major distributors in other countries through the absorption of these firms by United States companies. For example, the Cuban record company EGREM suffered financial losses when it was forced to find a new distributor in Spain, after Distrimusic S.A. was bought out by Warner and the latter was not prepared to continue working with Cuba.

145. Obstacles to access to Cuban art for United States collectors affect not only Cuba, but citizens of the United States as well. Many dealers and gallery owners could enhance their collections with Cuban art, and even open up new commercial channels with the works of the talented and broad movement of Cuban visual artists and craftspeople. However, given the restrictions imposed by the embargo on this market, any access must be achieved through third parties, resulting in doubts and uncertainty over the authenticity of works and the legality of ownership.

146. Another of the most visible effects of the embargo is the fact that the OFAC prohibits United States citizens from participating in movie co-productions with Cubans. Likewise, the OFAC prohibits United States citizens from entering into co-productions with third countries for the production of informational materials involving transactions with Cuba or Cuban nationals. This ban has had a particularly negative impact for the Cuban Cinema Institute (ICAIC), due to its inability to provide services for a number of productions planned to be filmed in Cuba.

147. A project on the life of United States writer Ernest Hemingway had to be cancelled as a result of the prohibitions of the embargo, depriving Cuban institutions of $3 million in earnings.

148. For the same reason, another project dealing with the life of a historical figure of the Americas was cancelled when it was determined that the "hostile climate" of the United States towards Cuba would entail risks for the participants. The proposed budget for the project was about $50 million, and it was estimated that Cuba would have received half of it.

149. Despite the embargo's adverse effects, the cultural development of the Cuban people has continued to advance throughout these 44 years. The Cuban Government, conscious of the fact that general and comprehensive culture dignifies and frees the creative potential of human beings, has initiated numerous programmes in recent years that will raise the cultural level of its people to unimagined heights.

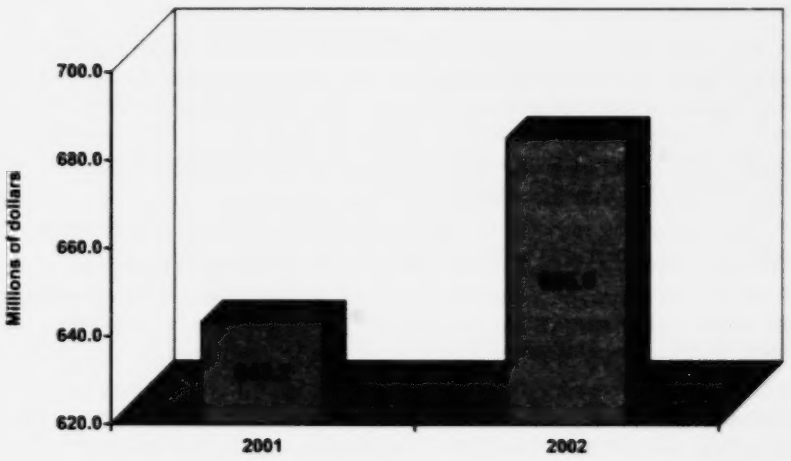
150. Without culture there can be no freedom. This firm belief, which is not limited to artistic culture, but rather implies the concept of comprehensive general culture, including vocational training and basic knowledge of a wide range of disciplines in the arts, sciences and humanities, is what inspires the country's efforts today.

4. Damages to exports and services

151. The unjust economic, commercial and financial embargo imposed on Cuba by the United States Government has an ever greater negative impact on Cuban foreign trade.

152. The arbitrary regulations and legislation that make up this pernicious policy against our country continue to affect the economic development and social wellbeing of the Cuban people, causing significant losses in resources and hard currency. It is estimated that in the year 2002, the United States embargo caused $685 million in damages to Cuban foreign trade, a figure that is $41.8 million higher than in 2001.

Comparison of damages to Cuban foreign trade caused by the embargo (2001-2002)



153. In 2002, the losses incurred by Cuba through purchases at higher prices than those it would have received under normal conditions totalled $403.5 million. As a result of less favourable financing conditions, the country lost $62.3 million, along with an additional $65.8 million due to higher transportation and freight costs.

154. Moreover, as a result of lost income, Cuban exports suffered $119.2 million in damages. These resources could have been used by Cuba to purchase 100,000 metric tons of chicken, plus an equal amount of corn and bread flour, half a metric ton of paddy rice and 20,000 metric tons of soy beans.

155. Among the elements that most seriously affect Cuban exports are the cost of maritime transportation (freight); currency exchange rates (due to the fact that prices are quoted, billed and paid in different currencies); insurance premiums on cargo and transportation; banking operations; the increase in risks and damage to merchandise owing to the distance it must travel; the storage of products until there are sufficient amounts for large shipments; and additional premiums for insurance on ships 20 years of age or older.

156. All sectors of the Cuban economy are affected by the embargo.

157. It is estimated that damages to exports of Cuban raw sugar totalled about $182.9 million in 2002. Of this amount, $179.3 million were lost as a result of the lack of access to the United States market, where Cuba should have been able to export more than 800,000 metric tons of sugar at preferential prices in accordance with the country quota system established in 1982 by the United States Department of Agriculture, from which Cuba is excluded.

158. The restrictions imposed by the Torricelli Act and consequent increase in freight costs led to nearly $1 million in losses in the import of fuel in 2002.

159. At the same time, oil companies that have contracts for drilling operations in Cuba are obliged to contract products and services at a cost 25 per cent higher than normal. In 2002, this represented $157.7 million in surplus payments.

160. Nickel exports incurred $6.56 million in additional costs due to the use of intermediaries to place the product on the world market, obstacles to carrying out regular shipments through international shipping lines, and the distance of markets, among other causes.

161. It would suffice to mention the damages caused by the embargo to the Cuban company Pedro Sotto Alba-Moa Nickel S.A. to demonstrate the major losses suffered by this branch of the economy. In the year 2002 alone, this company was obliged to make $9.76 million in additional expenditures on freight, due to the distance of its export markets.

162. The telecommunications sector has suffered millions in losses, in the areas of basic and wireless telephone service, alarm systems, electronic commerce and postal communications, among others. In the area of telephone service alone, losses have totalled $21.7 million in the last 12 months.

163. One of the Cuban companies in this sector, CUBACEL, has been adversely affected by its inability to reach automatic roaming agreements with cellular operators on the American continent. This is because all the companies that provide the signalling between TDMA standard operators and the formats established for the exchange of billing files are United States-owned, and have been denied

authorization from the Treasury Department to facilitate these services. The resulting damages are estimated at $2 million.

164. The embargo against Cuba has had a negative impact on the export and import of steel. In the case of stainless steel, which contains nickel among its components, exports have been severely damaged due to the prohibition of the entry into the United States of products containing Cuban nickel. In total, the Cuban steel industry loses $10 million annually as a consequence of the embargo restrictions.

165. As a result of the prohibition on using the United States dollar in its foreign commercial and financial transactions, Cuba is obliged to carry out these operations in the currencies of third countries, despite the fact that most of the products it imports and exports are traded on the world market in United States dollars. This has led to considerable economic losses, due to the rise and fall in the dollar in relation to the currencies of the country's main trading partners, since exports are contracted in United States currency but payments are made in other currencies.

166. This signifies increased exposure to foreign exchange risks, leading to a greater climate of uncertainty around economic planning and management, which inevitably translates into higher operational costs.

167. Damages to the tobacco sector, one of the country's key exports, were estimated at $61 million in 2002. The company Habanos S.A. alone suffered losses of some $18 million.

168. The hotel industry has not escaped the negative effects of the embargo policy, which have an even greater impact when one considers that this industry is the main source of income for the national economy.

169. Two examples effectively illustrate the damages caused to the Cuban hotel industry.

170. Utell International is a global reservations system, which had been contracting its services to the Cubanacán corporation since 1993. The Utell head office is in Omaha, United States of America, but the company's offices in Mexico and the United Kingdom dealt with all operations related to Cuba. The contract was signed directly with the office in the United Kingdom. Reservations were made primarily in two ways: on the Internet or by e-mail. Over the last three years, some $3 million in hotel reservations were sold.

171. Utell was bought by the United States company Pegasus Solution, and from that moment on, the number of reservations began to drop in comparison with other years. In September 2002, as a result of continuing pressure, Utell informed its Cuban counterpart that because it was a subsidiary of a United States company and on the recommendation of its legal department, it was obliged to terminate all dealings with hotels in Cuba, effective immediately. As a result, between January 2002 and April 2003, Cubanacán hotels lost $1.4 million solely as a consequence of the breaking of this contract.

172. In March 2002, the London office of the Jardines Hotel Group expressed interest in exploring the Cuban market. This led one of its partners in the United States to express its "concern" with regard to operations in Cuba, a clear allusion to the embargo and its potential implications.

173. As a consequence, the hotel group informed the Cuban embassy in the United Kingdom that it would follow up its interest in the Cuban market only after the normalization of relations between Cuba and the United States.

174. In addition to the restrictions already addressed, the United States embargo legislation prohibits United States citizens from travelling to Cuba, a measure that violates their constitutional right to travel freely anywhere in the world. This measure has a considerable negative impact on the Cuban tourism industry. Studies carried out by the University of Colorado in Denver and the Brattle Group consulting firm indicate that if the restrictions on travel to Cuba were lifted, the Cuban tourism sector would take in close to $576 million in earnings in the first year alone.

175. Moreover, the above-mentioned studies stated that if these sanctions were lifted, the number of tourists who would travel to Cuba on cruise ships could total around half a million annually, and they would spend roughly $70 million in the country.

176. Cuban civil aviation also suffered millions of dollars in losses in 2002.

177. The United States embargo also violates the norms and precepts of the Convention on International Civil Aviation (Chicago Convention), particularly the provisions of article 44, regarding the aims and objectives of the Convention, thus demonstrating an attempt to isolate Cuba from the international system.

178. Losses in this sector over 2002 totalled $142.6 million, for the same reasons as those outlined in the report submitted to the Secretary-General in 2002. Foremost among these is the impossibility of acquiring and leasing high-performance planes.

179. The restrictions of the embargo, prohibiting Cuba from operating in the United States market, make it impossible for Cuba to purchase aircraft manufactured in the United States, obliging it to lease aircraft from other suppliers, with a consequent increase in cost. Cubana Airlines was forced to make additional payments of about $10 million for the leasing of A-320 and DC-10 planes. The total amount of damages outlined above includes only those that could be quantified; the true figure is therefore considerably higher.

5. Negative effects on academic, scientific, cultural and sporting exchanges between the people of Cuba and the United States

180. Free academic, scientific, cultural and sporting exchange among peoples is a right widely recognized by the international community. No people has been subjected to as many limitations in this regard as the peoples of Cuba and the United States. The restriction of the freedom to travel, through sanctions and threats against United States citizens who want to visit Cuba, along with the denial of visas for scientists, artists, athletes and other leading Cuban figures, are the measures most commonly used to obstruct this exchange.

181. There are countless regulations that prevent United States citizens from travelling to Cuba. The sanctions established for the violation of these regulations include prison sentences of up to 10 years and fines of up to $1 million for corporations and $250,000 for private citizens. Civil penalties of up to $55,000 for each violation can also be applied.

182. The absurdity of this policy is fully illustrated by the following example: In November 2002, the Annual Assembly of the American Society of Travel Agents (ASTA) was held in Honolulu. The meeting included a seminar on the potential for travel to Cuba by United States citizens. The Vice-President of ASTA, Mr. Paul Ruben, told the press that ASTA had never carried out a programme that was so heavily regulated. The participants had to sign forms declaring that they understood that travel to Cuba is subject to severe restrictions.

183. The seminar was simply meant to be educational and informative.

184. At the same time, with the clear intention of preventing the people of the United States from learning the truth about Cuba, restrictions are imposed on travel to the United States by leading Cuban figures. Visas may be denied or delayed, or administrative procedures are imposed which entail greater difficulty in requesting a visa (personal interviews with applicants, fingerprint requirements, increased fees for new procedures, among others).

185. Every day a growing number of United States citizens and members of Congress voice their opposition to this policy. Nevertheless, the current administration has not only maintained it, but stepped it up even further.

186. When a growing number of educational institutions in the United States began visiting Cuba, the United States Government, as part of its escalation in aggression towards Cuba, announced this past 24 March that it was introducing new measures to restrict these exchanges even further. As a result of this, for example, the parents of young Americans who plan to study in Cuba will have to obtain a special license to visit their children.

187. Is this policy in any way rational? Who does this policy benefit, aside from the extreme right wing in the United States and the Cuban-American terrorist mob in Miami?

188. Here are just a few more illustrative examples.

189. Visas to travel to the United States were denied to the Cuban artists nominated for Latin Grammy Awards in 2002. Musicians of the stature of Chucho Valdés, Lázaro Ross, Grupo Sampling and Equis Alfonso were not allowed to participate in the awards ceremony, which is inexplicable when one considers that some of them had travelled to the United States on various occasions in the past.

190. There have been cases in which the United States has granted visas to musical groups but denied permission to individual members. An example is the case of the prestigious Orquesta Aragón. The group was invited to carry out a tour of a number of cities in the United States, and even to give a performance at United Nations Headquarters, yet visas were denied to group members Roberto Espinosa and Rafael Lay; the latter is also the director of the group.

191. It is important to bear in mind that in the competitive entertainment market, agents and promoters must make prior expenditures on the booking of performance venues, reservations for travel and accommodation and contracts for needed infrastructure. The difficulties involved in guaranteeing the artists' presence at the performances agreed upon, months or even years in advance, signify an enormous risk in the case of Cuban artists, because they can never safely guarantee their presence in the venues foreseen, given the constant threat that visas will be denied or delayed.

192. This, of course, makes agents reluctant to plan tours for Cuban artists, for despite the fact that they may be highly sought after for certain concert circuits, festivals and other venues, the possibility of incurring financial losses considerably limits the interest of agents and event organizers.

193. United States guitarist Ry Cooder, one of the individuals responsible for the international success of the Buena Vista Social Club, was forced by his Government to suspend his collaboration with Cuban musicians. The Government of President George W. Bush prohibited him from returning to work with musicians on the island and imposed a fine of $100,000 on him, in accordance with the stipulations of the embargo. Cooder had worked with Cuban artists like Compay Segundo, Omara Portuondo, Eliades Ochoa and Ibrahim Ferrer, winners of a Grammy for the Buena Vista Social Club and nominees for an Oscar thanks to the documentary of the same name by German director Wim Wenders.

194. What reasons could justify the fact that the United States authorities assume the right to censor the music and art of the world accessible to United States citizens? How is it that their goal of hegemonic domination can prevent the enjoyment of the right to cultural, scientific, technical and educational exchange between the peoples of Cuba and the United States, a right endorsed by numerous internationally recognized human rights instruments?

195. In the area of sports, in the space of barely 11 months, visas were denied to 39 athletes who were to participate in five international events, including the Men's Basketball World Championship, held in December 2002 in Puerto Rico, and the World Wrestling Cup, in April 2003.

196. More than 10 visa applications from Cuban scientists were turned down in just one year. For instance, Dr. Luis Herrera, general director of the prestigious Genetic Engineering and Biotechnology Centre, was denied a visa to travel to the United States to participate in two events on vaccines, including the International Conference on Vaccines and Immunization organized by the Pan American Health Organization.

197. The insanity in the application of these sanctions reaches such an extreme as to affect even the United Nations. Suffice it to say that a visa was denied to Eusebio Leal, the Havana City Historian, who had been invited by United Nations Secretary-General Kofi Annan to participate in a meeting of all Goodwill Ambassadors and Peace Messengers, a distinction held by Leal.

198. Visas have also been denied to other Cuban officials and diplomats scheduled to participate in international events held in United States territory. On 13 May 2003 the U.S. authorities refused to grant visas for participation in a meeting of the Global Environment Fund (GEF) Council to the Director of International Cooperation at the Cuban Ministry of Science, Technology and the Environment and a specialist from the same department. The former was supposed to be there to represent the interests of the 16 countries of the Fund's Caribbean division, given that Cuba is a member of the same.

199. The stepping up of sanctions by the current United States administration in relation to travel to Cuba has been demonstrated by the hundreds of letters sent by the Treasury Department, the application of hundreds of fines, and harassment and legal action against United States citizens resident in the United States for alleged violations of the embargo against Cuba and the travel ban.

200. OFAC relentlessly threatens and harasses institutions and organizations that plan to visit Cuba. There are countless examples of pressures exerted on NGOs that have licenses to travel to Cuba, aimed at subordinating them to the anti-Cuban interests of the United States Government. The granting of licenses is delayed or flatly denied as a method of exerting pressure.

201. The most recent example is the case of United States NGO Population Services International (PSI), which is carrying out three cooperation projects in conjunction with the National AIDS Prevention Center of the Cuban Ministry of Public Health and UNAIDS. The projects are aimed at the marketing of condoms around the country and informational campaigns for the prevention of the disease.

202. PSI managed to renew its Treasury Department license in April 2003, under the condition that the project's voluntary worker, Pamela Rita Faura, who was temporarily living in Cuba for the purposes of the project, would remain in Cuba for only two weeks of every month. This means that she is continually obliged to travel to nearby countries and subsequently return to Cuba in order to continue her work. The goal of this measure is to force the NGO to withdraw from our country in view of the high travel costs incurred as a result of the measure.

203. The continued application of the embargo policy by the United States Government constitutes clear defiance of the majority opinion of the United States public and the values shared by the community of nations with regard to cultural, academic, scientific and sporting exchanges.

6. Damages to other sectors of the national economy

204. There are countless examples of the privations and difficulties faced by the Cuban people for more than 40 years. These include:

205. The United States company Lifeline Technology is the sole manufacturer of vaccine vial monitors (VVMs). In 1999, as a result of the participation of one of its scientists in the Havana Biotechnology Conference, the company received a letter from the OFAC, reminding it of the prohibition on all commercial, financial or travel-related transactions with Cuba.

206. Moreover, despite the fact that the World Trade Organization acted as an intermediary for the Treasury Department to authorize the sale of VVMs to Cuba, the authorization was not given. As a result, UNICEF was unable to sign contracts with Cuba for the purchase of the Cuban hepatitis B vaccine in 2003, due to the lack of the above-mentioned monitors.

207. Havana Club rum has been one of the national brands most severely affected by the embargo policy. The adoption of Section 211 of the Omnibus Appropriations Act for 1999 in the United States, passed through the use of rigged measures with the support of legislators closely linked to anti-Cuban interests, robbed the Cuban-French joint venture Havana Club Holding of its rights to register and potentially market this brand of rum in the United States.

208. The losses incurred through the impossibility of selling the rum in United States territory are estimated at roughly $38 million. In addition, $625,000 were spent on legal expenses in the commercial dispute with the Bacardí company to defend the right to use the Havana Club brand name internationally.

209. Added to this is the United States State Department's seizure of payments for sales to clients in third countries, when the funds involved passed through United States banks and were consequently confiscated.

210. The laws of the embargo obstruct Cuba's access to financing from multilateral and regional development agencies. During the 2002 fiscal year, the World Bank and Inter-American Development Bank approved loans for projects in Latin America in the amounts of $4,365.88 million and $4,548 million, respectively. If Cuba had the possibility of receiving such loans, it could have obtained roughly $200 million in 2002, which would have allowed it to execute important social and infrastructure projects, such as the renovation and technological upgrading of public health-care facilities, to cite just one example.

211. The LABET Tropicalization Laboratory, the only one of its kind in Cuba and the entire Latin American and Caribbean region, is unable to exchange experiences with its only counterpart in the hemisphere, Atlas Q-Lab (Material Testing Solutions), because the latter is a United States Government laboratory. Similarly, the laboratory faces enormous difficulties in purchasing the equipment, disposable material, supplies and chemical reagents needed for its work, since these cannot be directly acquired in the United States market.

212. The Cuban Radio and Television Institute (ICRT) purchases 95 per cent of the products necessary for its activities at prices 20 per cent to 30 per cent higher than what they would cost if they could be bought from the main manufacturers and distributors, based in the United States. In 2002, the ICRT planned to buy four microwave links, which it attempted to acquire through Canada. When the manufacturer learned of the final destination, the sale was cancelled, making it necessary to purchase the equipment in Europe at a much higher price.

213. The Canadian company Cegerco refused to execute the Screen Wall project at the Parque Central Annex Hotel in Havana, claiming that it had a joint venture in the United States and its partners had informed it that they could not work with Cuba.

214. The damages caused to the importing agencies of the Cuban Ministry of Construction between June 2002 and April 2003 are estimated at $7.8 million. These resources could have been spent on the repairs of the 69,726 dwellings affected by recent natural phenomena (hurricanes and heavy rains) that have still not been completed, despite the efforts of the Cuban Government, which has managed to repair 52,413 dwellings so far.

215. In a project funded by the United Nations Development Programme (UNDP) in the information technology sphere, executed in conjunction with the Genetic Engineering and Biotechnology Center (CIGB), the Canadian company Imaging Research Inc. refused to deliver software that had already been paid for, because its primary owner is a United States company.

216. Despite the fact that roughly 80 cruise ships sail around the Cuban archipelago every week, travelling from ports in Florida to various destinations in the Caribbean and Central and South America, Cuba is denied the possibility of being included in regular itineraries with weekly stopovers in our ports, despite the interest expressed by more than one cruise line.

217. The commercial branch of the Ministry of Transportation has suffered $96 million in damages because of the prohibition on ships trading with Cuba from

entering United States ports, the impossibility of using the United States dollar in business transactions, and the higher prices that must be paid to purchase equipment, among other limitations and prohibitions caused by the embargo.

218. Since the year 2000, an electronic commerce project has been carried out in the city of Santiago de Cuba with the support of the International Telecommunication Union (ITU). The aim of the project is to make it possible for producers in the eastern region of Cuba to sell their goods and services through the Internet, primarily to countries in the Caribbean. The project has been brought to a standstill due to the lack of digital certificate technology, because the suppliers of this technology are United States companies and are thus prohibited from selling it to Cuba.

219. Similarly, because it is unable to acquire the encryption technology necessary for electronic commerce, Cuba is prevented from fully participating in the programme carried out by the International Telecommunication Union. A concrete example of these restrictions can be found at: http://channels.netscape.com/ns/browsers/download/jsp.

220. The Cuban fishing industry has also suffered major losses as a result of the unjust measures imposed by the embargo. Between June 2002 and April 2003 alone, the quantifiable losses totalled over $3.67 million. These funds could have been used to purchase 5.401 tons of fish for consumption by the population.

221. The Cuban insurance and reinsurance sector has faced significant obstacles as a result of the dominance of United States capital in the financial market, which leads to delays in the execution of these operations, market restrictions, and increased costs due to the so-called "Cuba Risk". At the present time, 90 per cent of the market of Lloyd's, the largest and most important international reinsurance firm, is concentrated in United States corporate capital, and consequently Lloyd's cannot operate with Cuba. This means a substantial limitation on the market available to the country and thus non-competitive fees.

222. The reinsurance operations of export credit insurance agencies reflect a similar situation. Insurance on exports to Cuba costs roughly 30 per cent more than average rates, due to the control of the market by United States companies. Cuba is consequently forced to pay more for this protection.

223. Because of the embargo, Cuba cannot purchase lubricants and additives, the primary raw material for the production of finished lubricants, directly from their producers. This leads to higher costs for imports. For example, in 2002, the Cuban company CUBAMETALES paid out an additional $8.6 million, since the costs reached through credits granted with different traders ranged between 6 per cent to 11 per cent over the LIBOR (London interbank offered rate), while financial costs on the international market average around the LIBOR plus 2 per cent.

224. In the year 2004, all members of SWIFT (Society for Worldwide Interbank Financial Telecommunication) will have to adopt a change in technology in order to begin use of the SWIFTNet system, the new global infrastructure for secure messaging services. The connection will require equipment supplied by SWIFT known as M-CPE (Managed Customer Premises Equipment), needed by every user to access the Secure IP Network (SIPN) through a leased line (Reuters, for example). It will also require software known as SWIFTNet Link (SNL), which will permit access to SWIFTNet services on the SIPN.

225. The acquisition of the SNL Developers Toolskit will require the United States authorities to authorize SWIFT to provide Cuba with the corresponding security software, developed by them. This also applies to the acquisition of smart cards and their readers, technology that is supplied solely by a United States company called Datakey Inc.

226. For more than six months, the Banco Central de Cuba has been waiting for the above-mentioned authorization. If it is denied, all of the banks in the country would have to abandon this system, entailing significant costs, without even taking into account the expenditures already made for its installation.

Conclusions

227. The intensification of the embargo policy and the growing escalation of United States aggression towards the Cuban people — including the threat of an armed invasion — irrefutably demonstrate the refusal of the Government of President George W. Bush to respect the will of the overwhelming majority of the international community, expressed in successive resolutions of the United Nations General Assembly.

228. The maintenance and reinforcement of the illegal policy of embargo against Cuba serve to prove once again the current Republican administration's contempt for international law and multilateralism.

229. Not a single sector within the economic and social activities of the Cuban people has been spared the destructive and destabilizing effect of the web of actions and measures encompassed by the United States' embargo policy. Preliminary studies have shown that the total amount of economic losses incurred by Cuba during the more than four decades that the embargo has been in force could already surpass $72 billion.

230. The extraterritorial application of the United States Government's embargo against Cuba, institutionalized and systematized through the Torricelli and Helms-Burton Acts, in addition to violating international law, has provoked serious additional damages to the national economy over the last decade.

231. The current United States administration's non-objection to sales of some foodstuffs to Cuba should not be interpreted as a relaxation of the embargo policy. On the contrary, the numerous obstacles and severe restrictions applied to these sales demonstrate the depth and all-encompassing scope of this illegal policy of unilateral sanctions.

232. Spurious motives of domination have deprived the peoples of Cuba and the United States of their rights to mutually beneficial exchange in the academic, scientific, cultural, tourism and sporting sectors. The new regulations on such exchanges issued in March 2003 further increase the prohibitions and limitations.

233. Cuba has the right and the duty to continue to denounce the damages and violations that the embargo policy has imposed on its people and on international law. At the same time, Cuba reiterates its determination to defend above all, with the power of the truth and of ideas — its people's full enjoyment of the right sovereignly to establish its own political, economic and social system. Neither threats nor aggression will bend the will of the Cuban people to defend the profound

process of revolutionary transformations that have brought it so much dignity and so many benefits in these last 44 years.

234. For all of the above reasons, Cuba calls on the international community once again to unequivocally express its support for an end to the economic, commercial and financial embargo imposed by the United States of America against Cuba. In this way, it will be defending the ideal of a better world, where justice and the rule of law prevail for everyone equally.

Cyprus

[Original: English]
[12 May 2003]

Cyprus does not favour any attempt to enforce laws in its territory that are promulgated by other States. It is therefore opposed to the adoption of any measures that have extraterritorial application on its territory.

Democratic People's Republic of Korea

[Original: English]
[27 May 2003]

1. To oppose the imposition of unilateral sanctions on a sovereign State is the consistent position of the Government of the Democratic People's Republic of Korea.

2. Unilateral and extraterritorial sanctions imposed by the United States of America against Cuba are the result of the hostile policy of the United States against Cuba and constitute a violation of the principles of respect for sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation embodied in the Charter of the United Nations and international law.

3. The Government of the Democratic People's Republic of Korea denounces the attempt of the United States to collapse the legal government and social system in Cuba and strongly urges the United States to end the economic, commercial and financial embargo against Cuba at the earliest possible date, in conformity with the United Nations resolution adopted by a majority of Member States.

Democratic Republic of the Congo

[Original: French]
[12 June 2003]

The Democratic Republic of the Congo:

- Reiterates its opposition to the maintenance of any economic, commercial or financial embargo imposed on Cuba, since it constitutes a flagrant violation of the purposes and principles of the Charter of the United Nations which obliges Member States to resolve their disputes by peaceful means;

- Recalls that the sanctions against Cuba violate the principles of free trade established by the World Trade Organization and other specialized associations such as the Free Trade Area of the Americas which is encouraged and supported by all countries of the region, including the United States of America;

- Respects the principles of international law and maintains that it has neither promulgated nor applied any laws of the kind referred to in General Assembly resolution 57/11, or the extraterritorial effects of which affect the sovereignty of other States;

- Recognizes that for more than four decades, Cuba has suffered coercive measures imposed against it by the United States of America. These measures include a prohibition on the transfer of technology in an international setting;

- Notes that the Government of the United States has not taken account of appeals by the international community requesting it to cease such measures, and that it has instead strengthened its unilaterally imposed sanctions against the Cuban people, including in the areas of public health, education and free cultural exchange between the two peoples and has been planning to adopt new sanctions to restrict relations between families in the two countries;

- Urges the Government of the United States of America not to strengthen the economic, commercial and financial embargo against Cuba, but to take into account the will of the international community expressed at sessions of the General Assembly since 1992 and in multiple declarations and resolutions adopted by international and regional organizations, including the Movement of Non-Aligned Countries and the Group of 77.

Dominica

[Original: English]
[15 July 2003]

1. The Commonwealth of Dominica has never promulgated nor applied any laws or measures which in any way hinder the freedom of trade and navigation in Cuba.

2. Dominica is in full conformity with resolution 57/11.

Dominican Republic

[Original: Spanish]
[10 June 2003]

In its international relations, the Dominican Republic acts in accordance with the standards and principles governing relations of cooperation and exchange among nations, based on the Charter of the United Nations and other rules of international law. It therefore does not enact or implement laws which contravene those standards and principles.

Ecuador

[Original: Spanish]
[14 July 2003]

1. Ecuador has on previous occasions stated its position, which is that it has not adopted laws that run counter to the freedom of international trade or violate the principle of non-interference in the internal and foreign policies of States. This is in accordance with the Constitution of Ecuador, and this principle is reflected in each and every legal, political and economic action taken by Ecuador both domestically and internationally. Consequently, Ecuador does not apply any type of sanction against Cuba and maintains normal diplomatic and cultural relations with that country. Also, Ecuador has supported the communiqués issued by the European Union, the Rio Group and the Movement of Non-Aligned Countries relating to the question and, on the basis of these considerations, has taken a very clear position against the Helms-Burton Act within the Organization of American States.

2. As for the draft resolutions which have been submitted to the General Assembly seeking to condemn the Government of Cuba for its human rights policy, Ecuador considers that coercion is not the appropriate means to resolve this problem, which should be considered in a global context and, for that reason, deserves to be dealt with from a universal viewpoint.

Egypt

[Original: English]
[12 June 2003]

Egypt has voted in favour of the resolutions, in line with Egypt's consistent view that unilateral sanctions outside the United Nations framework are not a course of action that Egypt can condone.

Gambia

[Original: English]
[30 April 2003]

The Gambia has no intention of promulgating or applying the laws or measures referred to in the preamble to the resolution. The Gambia has not promulgating or applied such laws.

Greece

[Original: English]
[25 July 2003]

1. Greece has been implementing the said resolution in the light of the purposes and principles of the Charter of the United Nations and international law and has never thus far promulgated and applied laws and regulations of the kind referred to in resolution 57/11, by which an economic, commercial and financial embargo against Cuba would be applied.

2. Greece, on the contrary, has signed bilateral agreements with Cuba on Economic Cooperation and on protection of investments.

Grenada

[Original: English]
[11 June 2003]

1. The Government of Grenada does not promulgate or apply any law or measure which would encroach on or undermine the sovereign rights of any State.

2. Grenada, in recognition of the purposes and in adherence to the principles of the Charter of the United Nations and international law, does not support the negation or hindrance to the freedom of international trade and navigation by any State.

3. Grenada, therefore, opposes the economic, commercial and financial embargo imposed by the United States of America against Cuba, supports resolution 57/11 and will honour its mandate.

Guatemala

[Original: Spanish]
[30 April 2003]

There are no legal or regulatory impediments in Guatemala to the freedom of transit or trade with the Republic of Cuba. Also, it is the policy of the Government of Guatemala to oppose any coercive measure that runs counter to the provisions of international law.

Guinea

[Original: French]
[19 May 2003]

1. The Government of Guinea remains deeply committed to respecting the principles of the Charter of the United Nations concerning the sovereign equality of States, non-intervention and non-interference in their internal affairs, and the freedom of international trade and navigation.

2. This attitude, never refuted, explains why Guinea has always refrained from, and will continue to refrain from promulgating or applying economic or trade laws and regulations affecting the freedom of international trade.

3. It is in accordance with this basic stance and the requirements of international law that the Government of Guinea continues to press for the lifting of the economic embargo imposed by the United States of America against Cuba.

Guyana

[Original: English]
[19 June 2003]

Guyana has not promulgated or applied any laws or regulations the extraterritorial effects of which affect the sovereignty of other States. It is thus fully in observance of resolution 57/11 and is committed to continuing support.

Haiti

[Original: French]
[June 2003]

1. The Government of the Republic of Haiti voted in favour of General Assembly resolution 57/11 and has never promulgated any laws or regulations restricting free trade with the Republic of Cuba. It is the Government's policy to respect the principles of sovereign equality of States and non-interference in their internal affairs.

2. The Government of Haiti, disturbed by the detrimental effects of the embargo on the Cuban population, will continue to urge the lifting of this unilateral and extraterritorial measure. The embargo constitutes a violation of international law and the Charter of the United Nations.

3. The Government of Haiti reaffirms its support for the principles of freedom of international trade and navigation and resolutely appeals for an end to the embargo against Cuba.

Holy See

[Original: English]
[29 April 2003]

The Holy See has never applied any economic, commercial or financial laws or measures against Cuba.

India

[Original: English]
[10 June 2003]

1. India has not promulgated or applied any laws of the type referred to in the preamble of the above-mentioned resolution and, as such, the necessity of repealing or invalidating any such laws or measures would not arise.

2. India has consistently opposed any unilateral measures by countries which impinge on the sovereignty of another country. These include any attempt to extend the application of a country's laws extraterritorially to other sovereign nations.

3. India recalls the final documents adopted by the Thirteenth Summit Conference of Heads of State or Government of the Movement of the Non-Aligned

Countries, held in Kuala Lumpur in February 2003 on this subject, and urges the international community to adopt all necessary measures to protect the sovereign rights of all countries.

Islamic Republic of Iran

[Original: English]
[11 May 2003]

1. Unilateral economic measures as a means of political and economic coercion against developing countries, historically, have been in contradiction with the spirit of the United Nations Charter in promoting solidarity, cooperation and friendly relations among the nations of the world.

2. In existing conducive environment such measures contravene all laws, principles and norms governing international relations in the field of global trade and increasing extensive commercial and economic interactions among countries.

3. The use of unilateral measures as a means of political and economic coercion against developing countries has been condemned by decisions and resolutions of various bodies of the United Nations particularly the General Assembly and Economic and Social Council. The international community should become more vocal about the necessity of repealing them and prevention of similar actions.

4. Adoption and application of unilateral coercive measures impedes the full achievement of economic and social development by the population of the affected countries, in particular children and women, and hinders their well-being and creates obstacles to sustainable development and the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for health and well-being, and their right to food, medical care and the necessary social services. It must be ensured that food and medicine are not used as tools for political pressure.

5. Since resort to unilateral economic coercive measures jeopardizes the legitimate economic interests of the targeted developing countries and while the United Nations system and other relevant international and multilateral organizations are redoubling their endeavours towards the creation and strengthening of a conducive international economic environment capable of providing equal opportunities for all countries to benefit from international economic, financial and trade system, it is also necessary that the international community consider ways and means for compensating the losses of targeted countries by those who resort to such unilateral measures.

Jamaica

[Original: English]
[12 June 2003]

1. Jamaica supports General Assembly resolutions calling for an end to the economic, commercial and financial embargo against Cuba consistent, in the belief that such actions are contrary to international law. Jamaica's support is also in keeping with its strict adherence to the principle of sovereign equality of States, non-intervention and peaceful coexistence.

2. Jamaica attaches great importance to the principles and purposes of the Charter of the United Nations and as such continues to be in opposition to the extraterritorial application of national legislation that would undermine such principles.

3. The Government of Jamaica has not promulgated any law, legislation or measure that would infringe on the sovereignty of any State or its lawful national interests or obstruct the freedom of trade and navigation.

4. Jamaica is of the view that constructive engagement is the single most feasible option for removing tension and promoting peace, stability and deeper integration in the region.

Japan

[Original: English]
[20 May 2003]

1. The Government of Japan has not promulgated or applied laws or measures of the kind that are referred to in paragraph 2 of resolution 57/11.

2. The Government of Japan believes that the economic policy of the United States towards Cuba should be considered primarily as a bilateral issue. However, Japan shares the concern, arising from the Cuban Liberty and Democratic Solidarity Act of 1996 (known as Helms-Burton Act) and the Cuban Democracy Act of 1992, regarding the problem of extraterritorial application of jurisdiction, which is likely to run counter to international law.

3. The Government of Japan has been closely following the situation in relation to the above-mentioned legislation and the surrounding circumstances, and its concern remains unchanged. Having considered the matter with the utmost care, Japan voted in favour of resolution 57/11.

Kazakhstan

[Original: Russian]
[16 July 2003]

The Republic of Kazakhstan has not promulgated or applied any provisions, the extraterritorial effects of which affect the sovereignty of other States.

Kenya

[Original: English]
[20 May 2003]

Kenya fully supports resolution 57/11 and it has never promulgated or applied laws and measures which hinder freedom of international trade and navigation.

Lao People's Democratic Republic

[Original: English]
[12 June 2003]

It is unfortunate that the embargo imposed by the United States of America over the past years against Cuba, an independent and sovereign country, continues to be in effect. Such an embargo, with its extraterritorial implications, has not only hindered the progress of Cuba in its socio-economic development and caused untold suffering to its people but has also violated the principles of international law and those of the sovereign equality of States, as well as of freedom of international trade and navigation. As far as the Lao People's Democratic Republic is concerned, it adheres to and complies with all principles and purposes enshrined in the Charter of the United Nations and international laws, and has neither promulgated nor introduced any laws and measures of the kind referred to in paragraphs 2, 3 and 4 of resolution 57/11.

Lebanon

[Original: Arabic]
[27 June 2003]

The Government of Lebanon complies fully with the provisions of the resolution, in accordance with the principles of the United Nations and with international law, which emphasize respect for the sovereignty of States.

Libyan Arab Jamahiriya

[Original: Arabic]
[2 June 2003]

1. In keeping with its endorsement of General Assembly resolution 57/11 of 12 November 2002, the Libyan Arab Jamahiriya once again affirms that it opposes the economic, commercial and financial embargo imposed by the United States against Cuba on the grounds that such an embargo is contrary to the principles of the Charter of the United Nations, which requires States to resolve their disputes and reach settlements by peaceful means.

2. Out of respect for these purposes and principles and for international law, the Libyan Arab Jamahiriya has neither promulgated nor applied any laws of the kind referred to in the two relevant operative paragraphs of General Assembly resolution 57/11.

3. For more than two decades, the Libyan Arab Jamahiriya has been enduring measures imposed upon it by the United States of America that are similar to those imposed against Cuba. They have included the blocking of Libyan assets held in American banks, the imposition of restrictions on the transfer of technology and the debarment of Libyan students from pursuing advanced studies at American universities. The United States continues to ignore all the appeals by the international community for an end to these measures. Furthermore, it recently strengthened its measures against the Libyan people when, on 19 June 1996, it enacted a law (H.R.3107) that imposed sanctions on any individual or enterprise

which made an investment of 40 million dollars or more that significantly contributed to the enhancement of Libya's ability to develop its petroleum resources.

4. It is sad to observe that the United States Government persists in implementing the provisions of H.R.3107, better known as the D'Amato-Kennedy Act, despite continuing condemnation by the international community through numerous international and regional organizations, including the Movement of Non-Aligned Countries, the Group of 77, the Organization of the Islamic Conference and the League of Arab States, and the General Assembly of the United Nations, which has adopted several resolutions, the most recent being resolution 57/5 of 16 October 2002 in which the Assembly reaffirms that all peoples have the right to self-determination and that by virtue of that right they freely pursue their economic, social and cultural development. In that same resolution, the General Assembly expresses its deep concern at the negative impact of unilaterally imposed extraterritorial coercive economic measures on trade and financial and economic cooperation, including at the regional level, because they are contrary to recognized principles of international law, and calls for the repeal of unilateral extraterritorial laws that impose coercive economic measures contrary to international law on corporations and nationals of other States.

5. Considering that the imposition of these iniquitous measures is contrary to the purposes and principles of the United Nations and the principles of international law, the Libyan Arab Jamahiriya reaffirms the terms of paragraphs 2 and 3 of General Assembly resolution 57/11 and declares that the State concerned must refrain from promulgating and applying laws and measures such as those imposed against Cuba or any other country and must take the necessary steps to repeal or invalidate them.

Liechtenstein

[Original: English]
[29 April 2003]

The Government of the Principality of Liechtenstein has not promulgated or applied any laws or measures of the kind referred to in the preamble to resolution 57/11. The Government of the Principality of Liechtenstein is furthermore of the view that legislation, the implementation of which entails measures or regulations that have extraterritorial effects is inconsistent with generally recognized principles of international law.

Mali

[Original: French]
[27 June 2003]

1. Mali reaffirms its support for the need to lift the embargo imposed against Cuba in violation of the Charter of the United Nations and international law.

2. Mali has always refrained and will continue to refrain from promulgating or applying laws and measures of the kind referred to in the preamble to the above-mentioned resolution, in accordance with paragraph 2 of that resolution.

3. Mali urges States that continue to apply laws and measures of this kind to take the necessary steps at the earliest opportunity to repeal or invalidate them as soon as possible, in accordance with paragraph 3 of the same resolution.

Mexico

[Original: Spanish]
[17 June 2003]

1. Mexico rejects the application of laws or unilateral measures relating to an economic embargo against any country. Also, Mexico has always rejected the use of coercive measures as a means of exerting pressure in international relations, because it considers that unilateral acts of this nature endanger State sovereignty, violate the principles of Mexico's foreign policy and are contrary to international law.

2. Mexico's external relations are based on the principles of international law which govern coexistence among nations and are established in its Constitution: self-determination of peoples, non-interference, peaceful settlement of disputes, prohibition of the threat or use of force in international relations, legal equality of States, international development cooperation and the struggle for international peace and security.

3. The Government of Mexico has repeatedly expressed its opposition to the imposition of political or economic sanctions which have not been adopted by the Security Council and other measures not recommended by the General Assembly. Mexico opposes the economic, commercial and financial embargo imposed upon Cuba and, since 1992, has consistently supported all the General Assembly resolutions on the need to end the embargo against Cuba.

4. When the so-called Helms-Burton Act was promulgated, the Government of Mexico stated at the time that the Act was contrary to the norms of international law. This position was echoed in the opinion handed down on 4 June 1996 by the Inter-American Juridical Committee.

5. On 24 October 1996, the Act on Protection of Trade and Investment against Foreign Norms which Violate International Law entered into force in Mexico. The law seeks to eliminate the negative impact of foreign extraterritorial measures that violate international law, to the detriment of any State. The Act:

(a) Prohibits national courts from recognizing and executing foreign judicial decisions and orders which are directed against companies established or situated in Mexico and based on foreign laws with extraterritorial effects that are contrary to international law;

(b) Prohibits enterprises established or situated in Mexico from acting or neglecting to act in a manner which might impair Mexico's trade or investments on the basis of such laws;

(c) Provides for the right to take legal action before federal courts on behalf of individuals or legal entities situated or established in Mexico to sue for payment for damages or loss resulting from a judicial or administrative procedure carried out by foreign courts or authorities in application of such laws;

(d) Prohibits the provision of information requested by foreign courts or authorities on the basis of such laws for use against such enterprises, and imposes financial penalties for non-compliance.

6. In budgetary and financial spheres, Mexico has not promulgated or applied laws or unilateral measures relating to an economic or financial embargo against any country.

7. Mexico supported the entry of the Republic of Cuba into the Latin American Integration Association as of 25 August 1999. On 17 October 2000, Mexico and Cuba signed Economic Complementarity Agreement No. 51 (ECA No. 51), which took the place of the Acuerdo de Alcance Parcial No. 12. On 30 May 2001, an agreement was signed for the reciprocal promotion and protection of investments, and it entered into force on 5 April 2002. On 17 April 2002, a Protocol was adopted modifying Economic Complementarity Agreement No. 51 between Mexico and Cuba (ECA No. 51), limited to the conditions set forth for Economic Complementarity Agreements by the treaty establishing the Latin American Integration Association. Subsequently, on 23 May 2002, the Second Additional Protocol to ECA No. 51 was signed, modifying provisions relating to the origin regime. These mechanisms help to strengthen economic relations with Cuba.

8. Paragraphs 2 and 3 of General Assembly resolution 57/11 call upon all States to refrain from promulgating and/or to repeal laws the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation. Within the context of the Organization of American States Mexico has, since 1996, supported the draft resolution on free trade and investment in the hemisphere.

9. Mexico supports the resolution on the lifting of the embargo against Cuba, since unilateral measures affecting the sovereignty of States and their freedom of trade contravene the principles of Mexico's foreign policy and the spirit of the Charter of the United Nations.

Mozambique

[Original: English]
[16 June 2003]

Mozambique has never promulgated, applied or contributed for the application of any of the laws or regulations mentioned in resolution 57/11. It was in this context that the Republic of Mozambique voted in favour of the aforementioned resolution, and expresses its unconditional support to its provisions and appeals to the United Nations to ensure that Member States take its application in consideration.

Myanmar

[Original: English]
[10 June 2003]

1. The Government of the Union of Myanmar continues to maintain its consistent policy of strict adherence to the purposes and principles enshrined in the Charter of

the United Nations. Myanmar is also one of the co-initiators of the Five Principles of Peaceful Coexistence, and as such has scrupulous respect for the principles of the sovereign equality of States, non-intervention and non-interference in the internal affairs, freedom of trade and international navigation.

2. The Union of Myanmar is of the view that the promulgation and application by Member States of laws and regulations, the extraterritorial effects of which affect the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction as well as the freedom of trade and the freedom of navigation, violate the universally adopted principles of international law.

3. Furthermore, the Union of Myanmar is of the view that the imposing of economic, commercial and financial embargo against Cuba can only bring about negative impacts on the civilian population especially children and women. Myanmar also believes that these measures will adversely effect peace and stability of the region.

4. Having such a view, the Union of Myanmar has not promulgated any law and regulations of the kind referred to in the preamble to resolution 57/11. In the spirit of resolution 57/11, Myanmar urges States that continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible.

Namibia

[Original: English]
[17 June 2003]

1. The Government of the Republic of Namibia reaffirms resolution 57/11, in conformity with its obligations under the Charter of the United Nations and in accordance with the provisions of its Constitution to adhere to international law.

2. The Government of the Republic of Namibia believes that this new century provides an opportunity to all Member States of the United Nations to create a world free of deprivation. The United Nations Millennium Declaration, in particular, reaffirms the sovereignty of all States and stresses, inter alia, the development of an open trading and financial system that is rule-based, predictable and non-discriminatory in order to eradicate poverty.

3. In this regard, the economic, commercial and financial embargo imposed by the United States of America against Cuba deprive the Cuban peoples of the opportunities and benefits derived from free trade and good neighbourliness.

4. The Government of the Republic of Namibia wishes to inform the Secretary-General of the United Nations that it does not have laws and measures referred to in the preamble of resolution 57/11 and reiterated in paragraph 3 of the said resolution.

Norway

[Original: English]
[20 June 2003]

Norway has not enacted any economic embargo against Cuba or adopted other measures contradictory to General Assembly resolution 57/11.

Pakistan

[Original: English]
[16 May 2003]

Pakistan is fully in observance of resolution 57/11.

Panama

[Original: Spanish]
[30 June 2003]

1. Panama's position on the Helms-Burton Act and the extraterritorial application of legislation is set forth below.

2. The national position is based on the following documents adopted by a number of multilateral bodies and conferences with the support and/or participation of Panama and is consistent with the provisions of United Nations General Assembly resolution 57/11.

3. The Helms-Burton Act is not valid under international law: This was confirmed by the opinion presented to the Permanent Council of the Organization of American States by the Inter-American Juridical Committee (IAJC), which concluded unanimously that "the bases for and the prospective enforcement of the legislation forming the subject of this opinion (...) are inconsistent with international law". The IAJC was requested to present that opinion in resolution 1364 (XXVI-O/96), entitled "Free Trade and Investment in the Hemisphere", of the General Assembly of Organization of American States, which met in Panama in June 1996.

4. With regard to the Free Trade Area of the Americas of which Panama is hoping to host the headquarters of the Administrative Secretariat, resolution 1364 is significant because it recognizes that economic integration is one of the objectives of the inter-American system and that, in this context, it is essential to expand trade and investment at the regional and subregional levels. For this reason, respect for multilateral rules and disciplines within the framework of agreements on economic integration and free trade is fundamental.

5. The application of extraterritorial legislation such as the Helms-Burton Act is contrary to the concept of the Free Trade Area of the Americas. Given that economic integration is one of the objectives of the inter-American system, it is essential to expand trade and investment in the hemisphere. In this context — not excluding its negative implications of a political and legal nature — the Helms-Burton Act is detrimental to free exchanges and the transparency of international trade and constitutes an obstacle to the process of regional integration and a veiled restriction on international trade.

6. Panama's position was reaffirmed in the context of the Declaration of the Tenth Summit of Heads of State and Government of the Rio Group (Cochabamba, Bolivia, September 1996), in which the States members of the Rio Group gave their view on the extraterritorial application of national legislation and rejected "any attempt to impose unilateral sanctions of an extraterritorial nature in application of a country's domestic law, as this contravenes the rules governing the coexistence of

States and ignores the basic principle of respect for sovereignty, in addition to constituting a violation of international law". The Rio Group also rejected the Helms-Burton Act and endorsed the unanimous view expressed by the IAJC "to the effect that the bases and the prospective enforcement of the Act are inconsistent with international law".

7. In the Declaration on the Helms-Burton Act, made at the second ordinary meeting of the Ministerial Council of the Association of Caribbean States (ACS, Havana, December 1996), Panama's position was in line with the statement made by ACS in which it stated its "most energetic rejection of the passing of the Helms-Burton Act by the United States of America, which violates principles and standards of international law and of the United Nations Charter [and] is contrary to the spirit of the World Trade Organization". In that respect, unilateral coercive measures such as the Helms-Burton Act are detrimental to free exchange and transparency in international trade, hamper regional integration processes and violate fundamental principles of international law and State sovereignty. Similar views were expressed in the Declaration of Viña del Mar (paras. 9 and 10) of the Sixth Inter-American Conference of Heads and State and Government (Chile, November 1996), which was endorsed by Panama.

8. Consequently, and in conclusion, Panama is in compliance, in letter and in spirit, with the provisions of General Assembly resolution 57/11, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", insofar as the action it has taken complies with the provisions of paragraph 2 of the resolution: it has refrained from promulgating and applying laws and measures of the kind referred to in the preamble to that resolution. Therefore, Panama's domestic legal regime does not include any current (or pending) legislation that implements laws and measures of the kind referred to in paragraph 3 of resolution 57/11.

9. In addition, with regard to the scope of resolution 57/11, the Republic of Panama, in accordance with its obligations under the Charter of the United Nations and international law, declares that it has no domestic legislation that needs to be repealed or invalidated pursuant to resolution 57/11 (para. 3) and that it strictly complies with and observes, inter alia, the freedom of trade and navigation laid down by international law.

Paraguay

[Original: Spanish]
[13 June 2003]

1. In accordance with the principles enshrined in the National Constitution of the Republic of Paraguay, the Charter of the United Nations and the general principles of international law, the Government of Paraguay considers that the extraterritorial application of domestic laws constitutes an attack on the sovereignty of other States, the legal equality of States and the principle of non-intervention; it also has an impact on international free trade and navigation.

2. Accordingly, the Government of Paraguay has not adopted any kind of restrictive measures with respect to trade with Cuba, nor any other measure that contravenes General Assembly resolution 57/11.

3. As with previous resolutions, Paraguay voted in favour of General Assembly resolution 57/11 in a manner consistent with the Government position on the elimination of this kind of measure.

Peru

[Original: Spanish]
[16 June 2003]

1. No law or measure whatsoever of the kind referred to in General Assembly resolution 57/11 exists or is applied in Peru. The position of the Government of Peru on this matter is based on the work of the Mechanism of Consultation and Political Action (Rio Group) and the declarations adopted at the Ibero-American Summits held in recent years.

2. The Government of Peru does not agree with the application of unilateral and extraterritorial measures which seek to affect the internal political process of any one State. Peru considers that, in accordance with the principles of international law concerning non-intervention and non-interference in the internal affairs of States, due respect for the domestic constitutional regime is essential in international relations.

3. Lastly, the Government of Peru wishes to reaffirm its strong and unswerving commitment to the common objectives of guaranteeing representative democracy, respect for human rights and economic freedom.

Philippines

[Original: English]
[17 June 2003]

1. The Republic of the Philippines has neither promulgated nor applied any laws or measures referred to in resolution 57/11.

2. The Philippines maintains cordial relations with Cuba and has consistently supported efforts in the Non-Aligned Movement and the Group of 77 in calling for an end to the United States-imposed economic, commercial and financial embargo directed against Cuba.

Poland

[Original: English]
[19 May 2003]

Poland, in compliance with its obligations under the Charter of the United Nations, neither promulgates nor applies any legal measures referred to in General Assembly resolution 57/11.

Qatar

[Original: Arabic]
[21 May 2003]

Information submitted by the State of Qatar concerning General Assembly resolution 57/11

1. The State of Qatar has not enacted or applied any laws or regulations of an extraterritorial character or that affect the sovereignty of other States or the legitimate interests of entities or persons under their jurisdiction, or the freedom of international trade and navigation, and it has taken no other measures that are contrary to General Assembly resolution 57/11.

2. The Government of the State of Qatar pursues a policy of strict compliance with the purposes and principles enshrined in the Charter of the United Nations, especially the principle of the sovereign equality of States and that of non-interference in their internal affairs.

3. The Government of the State of Qatar rejects the use of economic measures as a means to achieve political objectives, and it adheres in its relations with other countries to the basic principles of the Charter of the United Nations and the norms of international law.

Russian Federation

[Original: Russian]
[16 June 2003]

1. The Russian Federation, like the overwhelming majority of States Members of the United Nations, firmly rejects the United States embargo against Cuba and favours its repeal. Our position on this matter has been steady and consistent. At all previous sessions of the General Assembly, the Russian Federation has voted in favour of draft resolutions calling for an end to the economic, commercial and financial embargo imposed by the United States against Cuba.

2. The Russian Federation believes that continuation of the United States embargo against Cuba is incompatible with today's requirements or with modern international relations, a relic of the "cold war" that creates an artificial impediment to the establishment of a world legal order based on the provisions of the Charter of the United Nations and the principles of international law and justice. Alongside other States, the Russian Federation has thus repeatedly expressed its disagreement with United States attempts to tighten the embargo and to expand the extraterritorial implementation of the Helms-Burton Act. In our view, this Act is rightly described as discriminatory and contrary to the Charter of the United Nations and the norms of international law, insofar as its extraterritorial effects impinge on the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the generally recognized freedom of trade and navigation.

3. Favouring all realistic steps aimed at normalizing United States-Cuban relations, the Russian Federation notes with regret that the tone of American statements on key aspects of its policy towards Havana reveals that the United

States continues to rely on the sanctions method for bringing pressure to bear on the Republic of Cuba.

4. The Russian Federation is seriously concerned by United States attempts to strengthen the sanctions regime against Cuba and to exert pressure on third countries and various international organizations with the aim of making them limit their cooperation with Cuba.

5. The Russian Federation is convinced that lifting the commercial, economic and financial embargo against Cuba would represent a major step towards normalizing relations between Havana and Washington, as well as being in the interest of the peoples of Cuba and of the United States and having a beneficial effect on the overall situation in the Central American and Caribbean region.

6. Following the principles of sovereign equality of States, non-interference in their internal affairs and freedom of trade and international shipping referred to in the resolution, the Russian Federation reaffirms its intention to continue furthering normal trade and economic ties with Cuba, based on reciprocal interest and mutual advantage, without any discrimination or detriment to the legitimate rights and interests of the two countries.

7. Guided by the fundamental principles of the Charter concerning the inadmissibility of discriminatory measures or interference in the affairs of sovereign States, and in keeping with the position it has adopted at previous sessions of the General Assembly, the Russian Federation is convinced of the need to vote at the present session in favour of the draft resolution calling for the embargo to be lifted. We express the hope that the normalization of Cuba-United States relations, which the international community has consistently advocated, will enable the situation in the region to improve radically and relations between the United States and Cuba to develop on a basis of mutual understanding and close cooperation, and in the interest of the well-being and prosperity of the peoples of both countries.

Rwanda

[Original: English]
[16 July 2003]

The Ministry of Foreign Affairs and Cooperation of the Republic of Rwanda would like to reiterate its stand against blockades and their adverse effects on innocent citizens, and to express its support to the said General Assembly resolution and its full implementation.

Saint Kitts and Nevis

[Original: English]
[23 June 2003]

Saint Kitts and Nevis does not have an economic, commercial or financial embargo against Cuba, and it supports resolution 57/11.

San Marino

[Original: English]
[2 June 2003]

San Marino has always and generally been against any imposition of any embargo and in particular against the embargo on Cuba as a means of pressure and because of the serious repercussions on the population, especially as far as medical assistance and food provision are concerned.

Sao Tome and Principe

[Original: English]
[3 July 2003]

Sao Tome and Principe's Government has cooperation relations with Cuba's Government because it is a sovereign decision under national law of Sao Tome and Principe and that is not in violation to any international law as well as the Charter of the United Nations.

Seychelles

[Original: English]
[16 May 2003]

1. The Government of the Republic of Seychelles fully endorses the content of resolution 57/11 and consequently does not have nor applies any laws and measures which may in any manner or form constitute or contribute to an imposition of economic, commercial or financial embargo against Cuba.

2. Furthermore, the Government of Seychelles is of the view that legislation whose implementation entails measures or regulations having extraterritorial effects is inconsistent with generally recognized principles of international law.

Slovakia

[Original: English]
[3 July 2003]

1. The Slovak Republic does not pass or enforce laws or regulations with extraterritorial effects and affecting the sovereignty of other States, legal rights of citizens, or the freedom of trade and navigation.

2. The Slovak Republic has voted in the General Assembly of the United Nations along with the European Union in favour of ending the economic, commercial and financial blockade imposed by the United States of America against Cuba.

South Africa

[Original: English]
[17 June 2003]

1. Since re-entering the United Nations, South Africa has joined the great majority of United Nations Member States in consistently opposing all aspects of the embargo imposed by the United States of America against Cuba, inter alia, by voting in favour of the United Nations resolution in this regard, and by expressing its concern within multilateral forums with the United States Helms-Burton legislation.

2. South Africa views the continued imposition of an economic, commercial and financial embargo as a violation of the principles of the sovereign equality of States and of non-intervention and non-interference in each other's domestic affairs. We are guided by these basic norms of international conduct in our principled support for the need to eliminate coercive economic measures as a means of political and economic compulsion.

3. South Africa believes that constructive dialogue can foster mutual trust and understanding, as well as engender harmony and peaceful coexistence between both nations.

Sri Lanka

[Original: English]
[8 July 2003]

Sri Lanka has not promulgated any laws and measures referred to in the preamble of resolution 57/11. Therefore the question of repealing such laws does not arise.

Sudan

[Original: English]
[28 May 2003]

1. The Government of the Sudan pursues a policy that respects the principle of the sovereign equality of States and non-interference in the internal affairs of others. Consistent with its principled stand, the Sudan opposes the imposition of sanctions on developing countries for their devastating impact on the efforts of those countries to achieve sustainable development and because they constitute a violation to the Charter of the United Nations. To that end, the delegation of the Sudan has participated every year in the debate of the General Assembly on the agenda item and has voted in favour of General Assembly resolution 57/11, as have the majority of Member States. The Government of the Sudan reaffirms that it does not promulgate or apply any laws or measures that could, by being applied outside its own national borders, affect the sovereignty of any State.

2. On the basis of the foregoing, the Sudan opposes the economic and commercial embargo imposed by the United States against Cuba, which has caused great damage to the Cuban people and violated its legitimate rights and interests,

being a flagrant violation of international law and the Charter of the United Nations and showing disregard for their lofty and noble principles.

3. The Sudan itself continues to suffer from the unilateral economic sanctions imposed on it by the United States pursuant to the executive order signed by former President Clinton in early November 1997. It was unfortunate that the United States, in order to exert pressure on the Government of the Sudan, imposed these sanctions on the basis of ungrounded suspicions and accusations that have remained unsubstantiated for many years. Such unilateral sanctions are in violation of the legitimate right of the Sudan and Cuba and their people to choose their own political, economic and social system that fully respond to their aspirations.

Switzerland

[Original: French]
[10 June 2003]

The Permanent Mission of Switzerland to the United Nations thanks the Secretary-General for inviting Switzerland to express any views it might have on this issue. It wishes to inform him that, on reflection, Switzerland has no specific contribution to make in this context.

Syrian Arab Republic

[Original: Arabic]
[29 May 2003]

1. Proceeding from its position of principle with respect to the economic, commercial and financial embargo imposed by the United States of America against Cuba, the Syrian Arab Republic voted in favour of General Assembly resolution 57/11, which emphasizes the need for compliance with the purposes and principles of the Charter of the United Nations and reaffirms the principles of the sovereign equality of States, non-intervention in their internal affairs and freedom of international trade and navigation. In that resolution, the General Assembly also calls upon States to take the necessary measures to put an end as soon as possible to the economic, commercial and financial embargo imposed against Cuba for more than three decades. In this regard, the Syrian Arab Republic recalls the Communiqué of the Heads of State and Government at the Summit of the Movement of Non-Aligned Countries, held in Kuala Lumpur, Malaysia, on 24 and 25 February 2003, in which the Heads of State and Government called upon the United States to put an end to the embargo against Cuba, which, in addition to being unilateral and contrary to the Charter of the United Nations, international law and the principle of neighbourliness, is causing huge material losses and economic damage to the people of Cuba. The Heads of State and Government once again urged strict compliance with the relevant resolutions of the General Assembly, including resolution 57/11, and expressed deep concern over the widening of the extraterritorial nature of the embargo against Cuba and over continuous new legislative measures geared to intensifying it.

2. We also refer to the Declaration adopted at the South Summit of the Group of 77 and China, held in Havana, in which the participants categorically rejected laws

and regulations with extraterritorial impact and all other forms of coercive economic measures, and expressed grave concern over the impact of economic sanctions on the development capacity of the targeted countries. The Summit also adopted a special appeal from all the leaders of the developing countries for the immediate lifting of this embargo, given that it is causing the Cuban people enormous material losses and inflicting huge economic damage, in addition to being a unilateral measure and in contravention of the Charter of the United Nations, international law and the principle of good neighbourliness.

3. The international community has frequently stated that it rejects the maintenance of the sanctions unilaterally imposed on Cuba and the so-called Helms-Burton Act, which exceeds the jurisdiction of national legislation and encroaches on the sovereignty of other States that deal with Cuba. This is incompatible with the principle of the sovereign equality of States. Experience has shown that, for the most part, sanctions regimes have caused enormous material damage and major economic losses for the civilian inhabitants of the countries targeted.

4. Accordingly, the Syrian Arab Republic calls for an end to the economic, commercial and financial embargo imposed by the United States of America against Cuba. This would help to create a positive climate in international relations and enhance the role of international legitimacy in safeguarding the principle of the sovereign equality of States.

Thailand

[Original: English]
[4 June 2003]

1. In principle, Thailand disagrees with the extraterritorial imposition of unilateral measures by one State against another State that have implications upon other third States, as it is contrary to the norms of international law and the principles of the Charter of the United Nations.

2. Thailand neither maintains any legal provisions under its domestic laws nor applies any measures which have such extraterritorial effects.

Trinidad and Tobago

[Original: English]
[25 June 2003]

With particular reference to paragraphs 2, 3 and 4 of resolution 57/11, this Mission wishes to advise that Trinidad and Tobago does not have any of the prohibitions referred to in the operative paragraphs.

Tunisia

[Original: French]
[23 June 2003]

The Government of Tunisia does not apply unilaterally any laws or measures that have extraterritorial effects.

Turkey

[Original: English]
[12 June 2003]

1. The Republic of Turkey does not have any laws or measures of the kind referred to in the preamble to resolution 57/11 and reaffirms its adherence to the principle of freedom of trade and navigation in conformity with the Charter of the United Nations and international law.

2. The Government of Turkey is of the view that differences and problems between States should be settled through dialogue and negotiations.

Uganda

[Original: English]
[13 June 2003]

Uganda has never and does not intend to promulgate and apply laws and measures of the kind referred to in the preamble to resolution 57/11. This has been a consistent position of principle which is in conformity with Uganda's obligations under the Charter of the United Nations and international law.

Ukraine

[Original: English]
[3 July 2003]

1. Ukraine does not have any legislation or regulations whose extraterritorial effects could affect the sovereignty of other States and the legitimate interest of entities or persons under their jurisdiction, or the freedom of trade and international navigation.

2. Equally, the Government of Ukraine does not accept the use of economic measures as a means of achieving political aims and upholds, in its relations with other countries, the fundamental principles of the Charter of the United Nations, the norms of international law and the freedom of trade and navigation.

United Republic of Tanzania

[Original: English]
[23 July 2003]

1. The Government of the United Republic of Tanzania voted in favour of resolution 57/11 and has strictly applied its provisions. The Government of the United Republic of Tanzania has never promulgated any law or measures that would restrict free commerce with the Republic of Cuba.

2. The Government of the United Republic of Tanzania is concerned about the damaging effects of the economic, commercial and financial embargo imposed on the Republic of Cuba by the United States. The Government of the United Republic of Tanzania is concerned on the damaging effects of the embargo on the Cuban population particularly the most vulnerable strata, i.e., the elderly and the children. The Government of the United Republic of Tanzania will continue to support the call for lifting the embargo imposed on the Republic of Cuba.

3. The Government of the United Republic of Tanzania reaffirms its strong support for the principles of freedom of international trade and navigation and has systematically appealed for the elimination of the unilateral application of measures of an economic and commercial character that affect the free development of international trade and navigation.

Uruguay

[Original: Spanish]
[30 June 2003]

As stated on earlier occasions, Uruguay maintains a foreign policy favouring freedom of trade and navigation and does not recognize in its legislation the extraterritorial application of domestic laws that violate the principle of non-intervention in the internal affairs of other States or the rules of the World Trade Organization relating to the development of world trade. Accordingly, the Government of the Eastern Republic of Uruguay has not applied any measures or laws of the kind referred to in resolution 57/11.

Venezuela

[Original: Spanish]
[19 May 2003]

1. The Bolivarian Republic of Venezuela has consistently and repeatedly rejected the promulgation and implementation of laws and regulations with extraterritorial effects that infringe upon the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction and which have a negative impact on the freedom of international trade and navigation.

2. Venezuela considers that unilateral measures such as the embargo imposed on Cuba, which is of a coercive and extraterritorial nature, have an adverse impact on the legal framework defining economic and commercial exchanges between nations

and undermine the efforts that have been made to achieve continental and subregional economic integration.

3. On that basis, Venezuela has voted in favour of the resolutions condemning the embargo imposed on Cuba by the Government of the United States of America that have been adopted since 1992 by the General Assembly of the United Nations.

4. General Assembly resolution 57/11 of 12 November 2002 once again expressed concern at the continued promulgation and application by certain Member States of laws and regulations such as that promulgated on 12 March 1996 known as the "Helms-Burton Act", the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation, and once again urged those States that have applied and continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible in accordance with their legal regime.

5. Venezuela has adopted a consistent position on this matter in various international forums in which the subject of the application of unilateral coercive measures with extraterritorial effects has been discussed.

6. The Heads of State and Government of the European Union, Latin America and the Caribbean, meeting in Madrid, adopted a political declaration, the "Madrid Commitment", on 17 May 2002 whereby they firmly rejected all measures of a unilateral character and with extraterritorial effect, which are contrary to international law and the commonly accepted rules of free trade, and agreed that this type of practice poses a serious threat to multilateralism.

7. In the Bávaro Declaration adopted at the Twelfth Ibero-American Summit, held in the Dominican Republic on 15 and 16 November 2002, the Heads of State and Government condemned measures such as the embargo against Cuba in the following terms: "We reaffirm our strong rejection of the unilateral application of extraterritorial laws or measures which are contrary to international law, open markets and global trade freedom. We once again urge the Government of the United States of America to end the application of the Helms-Burton Act, in accordance with the relevant resolutions of the General Assembly of the United Nations."

8. In the Final Communiqué of the Thirteenth Summit of Heads of State and Government of the Movement of Non-Aligned Countries, held in Kuala Lumpur, Malaysia, from 25 to 27 February 2003, the Heads of State and Government again called upon the Government of the United States to put an end to the economic, financial and commercial embargo against Cuba, which, in addition to being unilateral and contrary to the Charter of the United Nations and to the principles of international law, is causing tremendous material losses and economic damage to the people of Cuba.

9. The position of Venezuela is consistent and in agreement with the almost unanimous rejection by the international community of the promulgation and application of this kind of unilateral and extraterritorial coercive measures, which are a clear violation of the principles of international law and of the Charter of the United Nations.

Viet Nam

[Original: English]
[21 May 2003]

1. Over the past many years, the General Assembly has adopted by an overwhelming majority numerous resolutions, and most recently resolution 57/11, adopted on 12 November 2002 with 173 votes in favour, requesting the United States of America to put an end to the policies and acts of economic, commercial and financial blockage and embargo imposed upon the Republic of Cuba. These policies and acts seriously violate international laws and fundamental principles of the Charter of the United Nations and liberal commercial law, run counter to the common desire of States for the development of healthy international relations on the basis of equality, non-discrimination of political systems and respect for the right of every nation to choose its path of development.

2. Viet Nam is of the view that the dispute between the United States and the Republic of Cuba should be resolved through dialogue and negotiations in the spirit of mutual respect, respect for independence and sovereignty, and non-interference in the internal affairs of States. In this spirit, Viet Nam welcomes every effort of the parties concerned to this effect. Viet Nam reaffirms its support for the General Assembly resolutions and hopes that the United Nations should undertake the concrete measures and initiatives so these adopted resolutions will be implemented to put an end to the policies and acts of the United States of America against the Republic of Cuba.

3. Once again, Viet Nam reaffirms its solidarity, cooperation and unity with the Cuban people and together with all the peace, freedom and justice loving people of the world, Viet Nam will do its utmost to assist the Cuban people to overcome the consequences of the above-mentioned unjust policies of embargo and blockage that violate the norm of international laws.

Zambia

[Original: English]
[12 June 2003]

Zambia supports the lifting of the economic, commercial and financial embargo imposed by the United States of America against Cuba and remains opposed to the Helms-Burton Law whose extraterritorial effect, inter alia, constitutes a violation of international law and Cuba's sovereignty.

Zimbabwe

[Original: English]
[12 June 2003]

1. Zimbabwe rejects the application of laws or unilateral measures relating to the economic embargo against Cuba by the United States of America.

2. Zimbabwe's foreign relations are based on the principles of international law which governs coexistence among nations and are established in its constitution:

self-determination of all peoples, non-interference in the internal affairs of other sovereign States, peaceful settlement of disputes, prohibition of the threat or use of force in international relations, legal equality of States and the struggle for international peace and security. Zimbabwe has always rejected the use of coercive measures as a means of exerting pressure in international relations.

3. The United States financial and economic embargo on Cuba endangers State sovereignty, violates the principles of Zimbabwe's foreign policy and are contrary to international law.

4. Zimbabwe expresses concern on the negative effects of economic, commercial, and financial embargo on the Cuban population, particularly in the health sector, and underscores the importance of the General Assembly appeals for the embargo against Cuba to be lifted once and for all in this regard. Zimbabwe has consistently supported all the General Assembly resolutions on the need to end the embargo against Cuba.

III. Replies received from organs and agencies of the United Nations system

Office of the resident coordinator of the United Nations system for operational activities for development

[Original: Spanish]
[2 July 2003]

1. Over several years during which the office of the resident coordinator has been preparing annual reports on the effects of the embargo imposed on Cuba by the United States of America, it has not been possible to show any real change or substantial progress in this area. On the contrary, we have had to report repeatedly on the continuing embargo measures and the damage these have been causing to the Cuban people and, in particular, to the most vulnerable sectors. In 2002, the embargo continued to strengthen and its negative impact was felt more deeply, especially since it was a particularly difficult year for the Cuban economy owing to adverse external and climatic events.

2. It is recognized that 2002 was a difficult year for Cuba. According to a UNDP/ECLAC study, the rate of growth of the Cuban economy fell in 2002 for the third consecutive year, with GDP growth of only 1.4 per cent, compared with 2.5 per cent in 2001. The main causes of this downturn include the negative impact of three weather events in less than a year: hurricane Michelle, which struck in late 2001 and caused direct and indirect damage amounting to $1,900 million, and hurricanes Isidore and Lili which, following very similar tracks less than a month apart, affected the western region in 2002. The damage from these two storms was estimated at over $800 million. The impact of these events is measured not only in dollars (an important aspect given the foreign-exchange shortage in the Cuban economy) but also in their psychological effects on the population. The situation was worsened by an unfavourable external environment that had not fully recovered from the events of 11 September 2001 in the United States, which led to a fall in tourism and weakened the global economy.

3. Despite these difficulties which worsened the foreign-exchange shortage, the country sought to attenuate their impact on the population, focusing its efforts on social programmes, essentially in the areas of health and education, and seeking to improve the variety and availability of foods to help the people recover from the effects of the adverse natural phenomena. Despite the efforts made in those areas, the population is still affected and the results achieved would have been better had it not been for the impact of the embargo, which forces Cuba to import from distant markets and at higher prices the equipment and supplies it needs to deal with the consequences of the natural disasters.

4. The previous reports of the office of the resident coordinator have listed various negative effects of the embargo. These effects, which are still being felt, include:

(a) The negative effect on Cuban commercial relations with countries other than the United States that fear reprisals for doing business with Cuba;

(b) The scarcity and high cost of capital due to the perceptions of high risk and uncertainty brought on by the virtual isolation caused by the embargo;

(c) The increase in costs brought about by the importation of goods via circuitous routes and from sources that are not really competitive but are willing to provide crucial goods;

(d) The negative effects on key social services for vulnerable groups, namely children, the elderly and women;

(e) The higher cost of legitimate development projects, including those of the United Nations, which are also subject to the higher costs and limited availability of inputs;

(f) The reduced availability of relevant expertise, even for United Nations projects, due to the fear of individuals of various nationalities of reprisals from the United States;

(g) The difficulty and high cost of communications between Cuba and other countries, exacerbating the isolation not only of Cuban officials from potential partners but also of Cuban families from their dear ones abroad;

(h) The limited sources of technology for Cuba, which in turn makes it dependent on technology that is not necessarily the best or the cheapest. Both technology relevance and the cost to the economy suffer;

(i) The limitation on scientific exchanges with the United States, despite the rich potential that exists for the creation of good will and networks between these two countries among people that are not only willing but very eager to have these relations;

(j) There is also a negative impact on Cuba's ability to make known the progress it has made in health care and education and to find partners for joint projects. This is harmful not only for Cuba but also for developing countries that might benefit from Cuba's progress in the health and education sectors and are currently prevented from doing so.

5. The Cuban State has made considerable efforts in the education sector to maintain its policy of free education for all, and is at the same time seeking to raise

the quality of teaching and modernize both educational materials and the physical state of educational buildings. For example, the Government has decided to implement new programmes which include the introduction of audio-visual educational materials, improving the teacher-pupil ratio, making higher education available to all and the mass introduction of computers at all levels of education. In that context, the embargo has certainly affected the availability of resources to meet the requirements of the education sector, particularly where those resources are not produced in Cuba or where their production requires imported supplies. This is the case for pencils and notebooks, of which there are only half as many as in the late 1980s; textbooks and other reading materials, which are printed in quantities that meet only 50 per cent of requirements; and equipment and supplies for physics and chemistry laboratories.

6. The impact has been particularly severe in special education, the characteristics of which require specialized means. The Cuban Government has made considerable efforts in this area so that all children with special educational needs can receive the required attention. To mention a few examples: Braille machines, needed for teaching blind and partially sighted children, have to be purchased at a price higher than which would be available in the United States market, and as a result the quantities needed have not been obtained. The National Programme for the Construction of Special Schools, halted since 1990, has not resumed and alternative solutions have had to be implemented for the care of children with disabilities.

7. The embargo and its intensification have limited the exchange of professionals between Cuba and the United States, impeding access to new knowledge, techniques and information in general. There are also numerous examples of, inter alia, events, workshops, seminars and technical advisory services that have been affected by the denial of visas, in particular after 11 September 2001. Such negative effects have transcended bilateral exchanges to affect multilateral partnerships, for example, by preventing the acquisition of prepaid software and restricting the exchange of professionals who are denied entry visas into United States territory.

8. The health sector is still having difficulty in acquiring medicines, diagnostic instruments, equipment and spare parts of United States origin, which must be purchased through intermediaries, obviously driving up costs. The impact on clinical laboratory diagnoses, microbiology and similar areas is worsening, since 70 per cent of diagnostic equipment and reagents manufacturers are American. This whole situation also affects the technological modernization of hospitals and the availability of necessary inputs for emergency care and treatment of seriously ill patients. The impact on paediatric cancer patients is one of the most glaring examples. Cytostatic serums must be acquired through third countries or in Europe or Asia, seriously augmenting their cost.

9. Agricultural and livestock sectors have not escaped considerable difficulties, stemming from both the reduction in the sector's export revenues from products such as coffee, tobacco and honey, on which high maritime freight must be paid for shipments to distant places, and the rise in the cost of raw materials and inputs that have to be imported, such as fodder and vitamin supplements. There is also limited access to the state-of-the-art technology used in this sector.

10. From the business standpoint, the effects of the embargo are manifold and touch most, if not all, sectors of the Cuban economy. These can be generalized as

follows: Cuban export products are prevented from entering the United States market, the largest in the region and the closest to Cuba, and the sale of products to Cuba by both companies located in United States territory and their subsidiaries abroad is forbidden, all of which drives up shipping costs, makes it necessary to turn to third markets or intermediaries, perpetuates the so-called "Cuba risk", prohibits the use of the United States dollar in business transactions with Cuba and limits the acquisition of new technologies or goods.

11. The difficulties caused by the perpetuation and toughening of the embargo are manifest in other areas as well. The previous report indicated that during the twenty-sixth special session of the General Assembly on HIV/AIDS, held in June 2001, Cuba, which has an excellent record in this field, offered the international community the services of several thousand doctors, health personnel and medicines to combat the HIV/AIDS pandemic, particularly in sub-Saharan African countries. Acceptance of Cuba's offer has been slow, as countries have to find alternate and circuitous routes in order to benefit from it without too much political visibility. The cost of taking advantage of this offer is also an obstacle, as possible funding partners are less willing to enter into partnerships with Cuba for this purpose, despite efforts by the United Nations system to promote the initiative.

12. Given the difficulties of the year in question, the United Nations system in Cuba has made every effort, in accordance with its mandate and in response to international appeals from various world summits, to encourage partnership to maintain programmes that could be of great assistance to the most seriously affected populations and the most vulnerable sectors. The following is a highlight of some of these efforts:

13. The United Nations system as a whole has enhanced its coordination and cooperation to programmes and projects in the country's most seriously affected provinces for the purpose of:

(a) improving and increasing the coverage of health and education services for the most vulnerable sectors of the population;

(b) increasing productive projects and supporting local economies with a view to increasing jobs and income in the neediest provinces;

(c) promoting programmes in support of technical and administrative decentralization and local development;

(d) promoting pilot sustainable production activities that could improve the status of women;

(e) contributing to pilot productive retrofitting processes following the close of 70 sugar refineries;

(f) responding to and mitigating the impact of natural disasters; and

(g) promoting food security programmes.

14. The World Food Programme (WFP) launched a project entitled "Nutritional Support to Vulnerable Groups in the Five Eastern Provinces in Support of Nursing Mothers and Children under Two Years of Age". It also participated in activities to support vulnerable groups affected by Hurricanes Isidore and Lili. In general, the embargo affected imports of donated food, which had to come from distant countries

and transit through third countries, increasing shipping costs. The lack of raw materials has also affected local acquisition of locally processed enriched products.

15. The Pan American Health Organization (PAHO) of the World Health Organization (WHO) is carrying out decentralized programmes in 80 of the country's 169 municipalities. Through its activities in support of the National Health System, PAHO/WHO was able to assess the impact of the higher cost of medicines and medical parts and equipment, which affected the quality and accessibility of services, and the availability of inputs.

16. The current programme of the United Nations Population Fund (UNFPA) is helping to improve levels of sexual and reproductive health, and to prevent and control sexually transmitted diseases. The embargo has made it difficult or impossible to obtain inputs, equipment and medicines. This has affected the quality of services provided to the target population, in particular, women, adolescents, youth and elderly people, in a variety of ways, including limited and substandard housing, therapy facilities and daily treatment centres, and a shortage of medicines.

17. The programme of the Food and Agriculture Organization of the United Nations (FAO) for Cuba focused on the agricultural and fishing sectors and natural resource conservation. FAO also promoted natural disaster relief activities and food security in vulnerable areas in the eastern part of the country. In general, the economic sectors into which FAO channels its cooperation have been affected by the embargo, owing to the higher cost of equipment and raw materials and restrictions on fuel imports. One of the most significant effects of the embargo in these sectors is on the availability of spare parts for agricultural machinery and transport in general; it has also increased the cost of products and high-quality seeds and affected the acquisition and shipment of materials to and from other countries.

18. The programme of the United Nations Educational, Cultural and Scientific Organization (UNESCO) in Cuba promotes activities in the areas of education, culture, communication and scientific development. All these areas have been significantly affected by the embargo; despite restrictions, education and culture therefore remain priority areas of government spending. In this connection, the high cost of materials for cultural programmes and artistic creation, difficult access to new informatics and communication technologies and the difficulty of academic and scientific exchanges at all levels are major aspects of the negative impact of the embargo on the Cuban population.

19. The United Nations Children's Fund (UNICEF) operates a broad programme designed to support vulnerable children and mothers throughout the country, which covers the areas of education, health, water and sanitation, with special emphasis on the most vulnerable areas in the eastern part of the country. The impact of the embargo on UNICEF programmes and their beneficiaries is similar to that reported by other United Nations agencies. The embargo imposed on Cuba affects, in particular, the rights of Cuban children, adolescents, women and families as defined in the Convention on the Rights of the Child promoted by UNICEF.

20. The United Nations Development Programme (UNDP) has focused on supporting decentralization and participatory local development initiatives and programmes in the country's most vulnerable and poorest areas, with emphasis on gender equity, sustainable development and productive retrofitting, and on clean energy production designed to have a positive effect on climate change. UNDP

activities have encountered similar problems; the cost of their operations has increased as a result of difficulties in obtaining materials, equipment, exchanges of persons and experts, and of the cost of communication and business in general.

21. Assistance to Cuba by the United Nations and other sources, however valuable, is limited when compared with the needs of the Cuban population. Inadequacies in cooperation are felt even more keenly because it is not easy for Cuba to obtain financial support for its development programmes from other external sources, on which the United States embargo also has a negative impact.

Economic Commission for Latin America and the Caribbean

[Original: English]
[16 June 2003]

1. Cuba has been engaged in a process of institutional and economic reforms for almost 10 years now. The basic rationale and objective of this process has been its reinsertion in the international economy, under very different circumstances to those prevailing in 1960-1989, but maintaining the fundamental objective of social equity.

2. The breaking-up of Cuba's unique links with the member countries of the extinct Council for Mutual Cooperation and Economic Assistance constituted a paramount event — particularly taking into account that is a small, insular, open economy with a fundamental need for foreign exchange. It propitiated important changes in economic policies and the implementation of structural reforms throughout the nineties. The process has been difficult and is not completed yet. The structural bottlenecks of the economy, such as inter alia, lack of investment, low productivity, out-dated technology, aged physical infrastructure and the continuation of the United States embargo — with episodes both of relaxation and intensification — contribute to the difficulties of the country to improve on its economic performance.

3. This strategy has implied important changes in the behaviour and structure of the Cuban economy. During the recent period, Cuba's transit towards a service economy has continued at a moderate pace, along with policies favouring activities that generate foreign exchange, save energy, use skilled labour and direct its products and services to dynamic markets. These structural changes are reflected in the growth of service exports which represented around two thirds of total exports sales in 2002, up from 10 per cent in 1989.

4. After averaging 5 per cent per annum in 1997-2000, GDP growth in 2001-2002 was only 2 per cent, mainly due to a weak international demand and the reduction of tourism by the fourth quarter of the year, as a result of the events of 11 September 2001. This drop in one of the most dynamic activities in the "new" Cuban economy prevailed up to 2002, although the arrival of international tourists recovered in the first quarter of 2003, to reach a similar level than in the same period of 2002. On the other hand, the stagnant international demand maintained sugar prices depressed; this, together with low yields of sugar cane plantations pushed the Government to close 46 per cent of the sugar cane mills in 2002.

5. In the last three to four years, the foreign exchange rate in the parallel market fluctuated around 21 pesos to the US dollar, but after 11 September 2001 the dollar

rose to 26 pesos. The official exchange rate is still 1 peso to the US dollar. Prices had been stable in the last two to three years. In fact, there were periods in which consumer prices decreased, basically due to regulation of some prices and a higher and more varied supply of goods and services. However, prices went up by 7 per cent in 2002. Due to increases in the free and informal markets and the scarcity of foreign exchange, the Government also had to increase prices in the network of retail stores which accept only foreign exchange as a means of payment. Wages have risen and labour productivity has increased, although it is still below levels of the end of the eighties and international standards. Employment has grown slowly and the unemployment rate continued at a reasonably low level (3.3 per cent in 2002).

6. In November 2003, hurricane Michelle caused great damage to the island's central regions, affecting around half of the national territory. Direct and indirect damages were estimated by the Government at more than 1,866 million dollars (6.3 per cent of GDP). Although its socio-economic impact was minor in 2001, it had important repercussions in 2002. Furthermore, hurricanes Isidore and Lili impacted the western part of the island in 2002 with similar trajectories, causing damages estimated in more than US$ 700 million (2.4 per cent of GDP).

7. In summary, between 1999-2002 the process of reform has continued, albeit at a slower pace than in the initial period (1993-1997), especially with regard to the opportunity provided for non-State economic activities. Cuban authorities have reiterated that the State will continue to have a predominant role in the economy, and thus the private sector will have limits to its opportunities for development. Nevertheless, the 3,700 agricultural cooperatives and the 147,000 private farmers will continue to be considered as a viable option and be supported by the State; in fact 76 per cent of the arable land of the country is already exploited by the non-State sector.

8. In this context, the Economic Commission for Latin America and the Caribbean (ECLAC) has continued collaborating with the Cuban Government in several fields, within the country's framework of policies aimed at the attainment of the best possible integration of Cuba into the world economy while preserving social welfare. ECLAC main activities and collaboration with Cuba in 2001-2003 have been statistics — mainly national accounts, social policy, energy and capacity-building in competitiveness.

9. ECLAC has continued to provide technical assistance to the Office of National Statistics in the execution of a project financed by the Swedish International Development Agency aimed at improving the national accounts system. The system began a transition during the 1990s, from accounting based on the materials balance to the system of accounting recommended by the Statistical Commission. The project started at the beginning of 2002 and will continue for a period of three years. In a related initiative, ECLAC has also provided technical assistance to the Office of National Statistics regarding the evaluation of the progress made in the process of strengthening the national accounts system. In this regard, ECLAC presented the authorities a broad evaluation and recommendations, which contributed to the launching of new calculations of GDP at constant 1997 prices. These results will be a valuable input for the aforementioned project for the strengthening of the national accounts system.

10. In 2003, ECLAC started a new collaborative activity with the Government intended to produce a study on the social and economic development and policies in

Cuba in the last few years. The aim is to discuss and analyse recent social policies implemented by the Government and its impact on social welfare. The exercise takes especially into account the difficult conditions that the external sector of the country faces (stagnant external demand, expensive credits, and the United States embargo itself) and its implications for the safeguarding of social indicators. It also considers the changing needs of the Cuban society, such as the care provided for a large number of elderly people and the associated costs for public finances. The study, prepared jointly with staff from the Unit of Social Studies of the Instituto Nacional de Investigaciones Económicas (INIE), will also update the database developed previously in the framework of two studies published by ECLAC about the process of institutional reforms and economic performance during the special period.

11. ECLAC cooperation in the field of energy takes place within the framework of a project financed by UNDP, entitled "Support to the programme of national energy". The main activities in 2001-2003 were: the elaboration of a cooperation scheme to save energy, participation in a national seminar on energy saving and the elaboration of a project portfolio concerning the efficient use of energy.

12. As part of its regular technical assistance and capacity-building, ECLAC organized and carried out two workshops on foreign trade and competitiveness to researchers and teachers of INIE and the Instituto Superior de Relaciones Internacionales. Training was provided on the use of a programme developed by ECLAC to evaluate export competitiveness and international trade trends, on the theme "Competitive analysis of nations". The objective of these workshops was to provide a general and detailed description of a programme on that theme for 2000, about its use in applied research, as well as to offer practical training for the software program and its scope as an analytical tool. In addition, ECLAC continues to publish annually a note on the economic survey of Cuba and the preliminary overview of the Cuban economy, in June and December of each year, respectively, both of which involve updating and upgrading the country's macroeconomic database.

International Fund for Agricultural Development

[Original: English/Spanish]
[21 May 2003]

1. Cuba benefited from a loan approved in 1980, which was successfully implemented and closed in 1989. Since then, the country has not been eligible for further IFAD financing as it is in arrears for non-payment of this loan. IFAD is in contact with representatives of the Government of Cuba to come to an agreement on a debt repayment schedule.

2. Like other countries in the region, Cuba continues to get IFAD support through grants. In particular, our organization has supported the country through a project financed by the global mechanism of the United Nations Convention to Combat Desertification. The Government of Cuba also continues to benefit from IFAD regional training programmes on such subjects as "Rural microenterprises" and "Management and administration of grass-roots organizations".

International Atomic Energy Agency

[Original: English]
[12 June 2003]

Our programmes with reference to all the Member States, which includes Cuba as well, are implemented in accordance with article III/C of the Statute of the Agency, which states: "In carrying out its functions, the Agency shall not make assistance to members subject to any political, economic, military, or other conditions incompatible with the provision of this Statute".

International Civil Aviation Organization

[Original: English]
[19 June 2003]

1. The mandate of the International Civil Aviation Organization (ICAO) is to promote the safe, secure and orderly development of civil aviation in the world. The Organization is not directly involved in the implementation of resolution 57/11, which is directed at States.

2. The embargo could have effect on certain areas of the Cuban civil aviation activities because of constraints to renew the aircraft fleet as the procurement of spare parts and equipment that have components made in the United States. Nevertheless, Cuba, a contracting State of ICAO, benefits from assistance through the technical cooperation programme of ICAO, both at headquarters and at the ICAO North American, Central American and Caribbean Office in Mexico. In particular, ICAO has facilitated the participation of Cuba in all relevant regional technical cooperation projects and is assisting the country in improving its international civil aviation infrastructure through national technical cooperation projects.

3. Cuba is currently a member of the Council of ICAO, having been elected to the Council by the Assembly of ICAO at its thirty-second session, in 1998, and again at is thirty-third session, in 2001.

Universal Postal Union

[Original: English]
[4 June 2003]

UPU has always regarded Cuba as a fully fledged member of the organization. As such, Cuba has the same rights and obligations as other Union members. So, for example, in 2002 Cuba benefited from several regional reform and modernization projects, along with operational training projects.

International Telecommunication Union

[Original: English]
[11 July 2003]

The role of ITU is to facilitate peaceful relations, international cooperation among peoples, and economic and social development by means of efficient telecommunication services. In the case of Cuba, the main challenge is to propose implementation of technical solutions without the use of technologies that have export restrictions to Cuba.

International Labour Organization

[Original: English]
[17 June 2003]

1. Cuba is treated in the same way as any other member State of the International Labour Organization (ILO) and actively participates in the annual International Labour Conference and other consultation forums organized by the ILO.

2. The ILO office in Mexico is developing important technical cooperation activities in Cuba, basically on employment and decent work issues. In this framework, several activities are being undertaken such as: a national study on the vocational training system, a number of activities on safety and health at work, technical assistance on social security systems, analysis on labour legislation and its impact on employment and a review on labour indicators. Another important issue in recent years will also be followed: human resources training based on labour competencies, to be complemented by the SIMAPRO methodology referred to a system on productivity measures and advance, which started during the second semester 2002.

3. The ILO ratifies its view that the United Nations is the appropriate forum to address questions related to the economic, commercial and financial embargo against Cuba.

United Nations Children's Fund

[Original: English]
[10 June 2003]

1. The embargo imposed against Cuba affects all spheres of Cuban society, including Cuba's ability to protect and serve its children, adolescents, women and families as defined in the Convention on the Rights of the Child. While the United States market could be the best economic option for Cuba in many aspects, the ban on commercial exchange increases dramatically the costs of crucial consumption and production items.

2. The Cuban Government is determined to care for its entire population, children and vulnerable groups in particular. Children are first on the Cuban policy agenda. In spite of being a developing country, Cuba has the best social indicators in the region. As an example, its infant mortality rate is comparable to Canada's. Most of the 2000 Millennium Summit goals have been achieved. Efficient systems guarantee

to every child free access to education and health care. Basic food is also guaranteed at a reasonable price for the entire population, with special attention to vulnerable groups, such as children under seven and pregnant women.

3. The impact of the embargo has been worsened by other circumstances. Tourism, first source of income, decreased by an estimated 5 per cent in 2002. Lack of oil supply, along with low international prices for sugar and the need to readjust the national sugar sector brought about the permanent closing of 70 mills (of a total of 155). The Government has been taking measures to alleviate the impact on the affected population. In September 2002, hurricane Isidore, followed a few days later by hurricane Lili, battered the western provinces and the Isle of Youth, producing major agricultural and infrastructure damages. Over 241 schools and 21 day-care centres, as well as water systems, were severely damaged.

4. According to studies carried out by several Cuban institutions, the sectors most affected by the embargo are health/nutrition, water and sanitation and education, as illustrated below.

5. Despite efforts by a national programme for their prevention and control, iron deficiency and anaemia are a problem. According to a sentinel site surveillance conducted in 2002, high anaemia rates were found among pregnant women in the third trimester, with 28 per cent prevalence at the national level. Higher rates are shown in the eastern regions, reaching up to 47 per cent in some provinces. Infants and young children are the most affected. Prevalence of anaemia in children under two years of age is approximately 46 per cent. Out of a population of more than 11 million, approximately 2.5 million are iron deficient (23 per cent of the total population).

6. Access to potable water and sanitation continues to be a problem, especially in the eastern part of the country, largely due to shortage of chlorine and spare parts for water supply and treatment.

7. Access to modern technologies in such areas as cardiology, ophthalmology, neurology, microsurgery and urology, as well as to key drugs and chemical reactives, is extremely limited in Cuba. The embargo also hampers the scientific and economic benefits from the internationally recognized Cuban biotechnology pools.

United Nations Conference on Trade and Development

[Original: English]
[30 June 2003]

1. In its resolution 47/19, the General Assembly called upon all States to refrain from promulgating and applying laws and measures whose extraterritorial effects affect the sovereignty of other States, and urged States that have such laws or measures to take the necessary steps to repeal or invalidate them. The United States Government has continued to implement its policy with some modifications in the last two years.

Legislative developments

2. For almost four decades, the United States has maintained economic sanctions against Cuba. The legislations include the Cuban Liberty and Solidarity Act of 1996 (known as the Helms-Burton Act), the Cuban Democracy Act of 1992 (CDA), the Omnibus Appropriations Act of 1997 and the Foreign Operations, Export Financing, the Related Programs Appropriations Acts of 1996 and 1998, the Foreign Assistance Act, and the Export Administration and Export Import Banks Acts.

3. In July 2001, the United States House of Representatives voted to ease travel restrictions to Cuba. In October, legislators removed the relevant language from the bill, then before the United States Senate, thereby postponing the issue to 2002. The most outstanding development in 2002 was the United States House of Representatives' vote for the Treasury-Postal Appropriations bill ending the ban on travel, financing restrictions for food sales, and limits on remittances. In 2002, with the support of farm state members of Congress, agricultural sales to Cuba continued to increase.

4. In February 2002, Congress removed all legislative provisions relating to Cuba from the fiscal year 2003 omnibus appropriations bill. These included the de-fund of the travel ban, the enforcement of remaining restrictions on agricultural sales to Cuba and the enforcement of any limits on the amount of remittances that could be sent to Cuba, a separate provision in support of cooperation with Cuba on counter-narcotics efforts, and a provision imposing greater accountability by the Department of the Treasury's Office of Foreign Assets Control in the issuing of licences for United States citizens to travel to Cuba.

5. On the legislative front, the "United States-Cuba Trade Act of 2003", S.403, has been introduced and is currently in the Finance Committee. The bill seeks to repeal the embargo in its entirety. In 2002, the travel amendment to the Treasury-Postal Appropriations bill passed overwhelmingly. In April 2003, the bill S.950 "The Freedom to Travel to Cuba Act" was introduced and seeks to eliminate the strict travel ban the United States currently imposes on United States citizens seeking to travel to Cuba.

Trade developments

6. In October 2000, President Bill Clinton signed the Trade Sanctions Reform and Export Enhancement Act. The legislation allowed the sale of food and medicine to Cuba, the Libyan Arab Jamahiriya, the Sudan and the Islamic Republic of Iran. Cuba was specifically prohibited from receiving private United States financing. Cuba, in protest, refused to buy from the United States under the Act.

7. Impetus to open Cuba's market began after hurricane Michelle hit Cuba in November 2001. In response to the disaster, the United States offered assistance to non-governmental organizations in Cuba. Cuba declined the offer and instead requested expedited approval of food sales. Since December 2001, Cuba has imported more than $250 million in food articles from the United States.

8. In September 2002, more than 280 United States companies and state agricultural representatives from 33 states participated in the United States Food and Agribusiness Exhibition in Havana. The second Agribusiness Exhibition is planned for January 2004 in Havana. More than 70 United States companies from 23 states signed agreements to deliver agricultural products estimated at $92 million. Having

risen from its position of last ranking of the 228 countries that purchased food from the United States in 2000, Cuba's ranking has considerably improved and it is currently in 46th position.

9. Section 211 of the 1999 Omnibus Appropriations Act prohibits the United States from recognizing trademarks associated with companies that have been nationalized by Cuba since the revolution without the consent of the original owner. Section 211 denies companies the right to defend their trademark titles in United States courts. This legislation is perceived to be in violation of international intellectual property rights protected by the Paris and Inter-American conventions in addition to the 1995 World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights.

Trade implications

10. It is possible to try to estimate the trade effects of United States sanctions on Cuba by comparing Cuba's trade patterns with the United States and other partners and the trade patterns of a similar country. Trade between Cuba and another comparable economy of the region as exporters and the European Union (15) and the United States as markets (based on the latter countries' import statistics) shows that European Union imports from these countries are almost identical ($310.5 million and $312.2 million, respectively). United States imports are $4.28 billion from the comparable economy but only $5.6 million from Cuba. If the same ratios held as in the European Union, then the United States imports from Cuba would be in the order of $4.26 billion. Given these figures, it is evident that, from a trade perspective, the removal of all sanctions would benefit both Cuba and the United States. The same analysis can be undertaken to try to estimate the yearly amount that Cuba could benefit from workers' remittances and tourism receipts and how much GDP would increase in Cuba. If the comparable economy used above is a good comparison for Cuba, we could imagine that tourism receipts and remittances would be double what they are now and GDP per capita would be more than three times the current level, based on official exchange rates.

11. It is estimated that Cuba holds 20 per cent of world nickel reserves, which cannot be fully exploited due to the United States economic embargo. According to a 2001 report by the International Trade Commission, the United States economy is losing over $1 billion per year due to the embargo. A 2001 Texas A&M study found that the United States economy is losing nearly $5 billion in agricultural exports and related economic output. A study carried out by the University of Colorado reported that $545.6 million in trade and the creation of 3,797 jobs would be gained in the short term; in five years, $1.9 billion in trade between the United States and Cuba with 12,000 new jobs would be created in the United States due to this trade increase.

12. According to a recent study prepared by the Brattle Group for the Center for International Policy, without United States travel restrictions, about 2.8 million Americans would visit Cuba annually for tourism. About 200,000 United States citizens travelled to Cuba in 2000 under a licence allowing travel for humanitarian and limited other purposes. The economic effect would be an increase in revenues due to tourism that would range from $1.2 billion to $1.6 billion with a net increase in new jobs from 9,285 to 15,417 in this sector of the United States economy.

13. According to estimates from the Cuban Government, the economic sanctions have caused damage amounting to more than $70 billion since their first application 43 years ago. Although Cuban food imports from the United States increased in 2002, the Cuban Government warns that this should not be interpreted as a lessening of the embargo conditions. The Cuban Government considers that economic sanctions have caused significant damage to critical social sectors such as health and education.

United Nations Educational, Scientific and Cultural Organization

[Original: English]
[23 May 2003]

1. During the last year (June 2002-May 2003), the United States embargo on Cuba has been maintained. In 2002, some legislation was promoted in the United States Congress to achieve some alleviation. However, during the first half of 2003 relations between Cuba and the United States became more tense and there are some indications that new measures may be adopted to tighten the embargo.

2. The last year has been difficult for the Cuban economy because the international price of sugar remains very low and although tourism and family remittances have recovered to some extent this was not enough to make up for the losses of the previous year. Also important were the effects of two hurricanes that hit the country in November. Under these conditions, the effects of the embargo have increased.

3. The contraction of foreign incomes and the high prices of imports reduce available resources in the country, a fact that affects all social activities, including education, science, culture and communication, which are all fields of competence of UNESCO. However, due to the nature of the sectors in which UNESCO works, it is very difficult to make a rigorous quantitative assessment of the damages caused by the embargo in these areas. Nevertheless, it is important to take into account that in spite of this difficult situation the Cuban Government has continued to make those important sectors a priority.

4. In the case of education, a field in which Cuba has achieved very important development levels, the scarcity of material resources has been important. During this last year, the Government has continued the programme for the refurbishment of educational centres as well as the opening of new schools for the training of teachers. The Government has reduced the number of students per classroom to not more than 20 students per class as part of an important effort to increase the quality of education in the country. During the previous year, the salary of teachers was increased between 30 and 50 per cent.

5. In the field of culture, the effects of the embargo can also be seen. Although because of the first amendment of the United States Constitution the embargo excludes cultural goods, such as books, records or works of art, the ban on the purchase of necessary materials for cultural industries or for artistic creation itself is maintained, including such materials as paint, brushes, musical instruments, cameras, and even paper. Arts training schools have been affected by the lack of resources for the development of the arts or by the deterioration and age of the existing ones. The preservation of historic heritage has also suffered due to the

scarcity of necessary materials. However, the Government maintains this sector as a cultural priority, which is expressed in its budgetary support. During this period, some art schools have been repaired.

6. The development of the communication sector has been harmed by the impossibility of systematically gaining access to new technologies, an essential need due to the rapid change in the structure of this sector at the international level. This is especially true in the field of informatics and telecommunication. Telephone communications between Cuba and the United States have been affected by a United States Court decision that embargoed the funds of the Cuban Telecommunication Enterprise, a fact that imposes a high human cost since it hinders contacts between the millions of Cubans living in the United States and their families in Cuba.

7. The embargo has also harmed scientific development in the country. Cuban scientists have a very limited exchange with the United States and they have very little opportunity of attending advanced courses at United States universities, and also have difficulties obtaining bibliographies, equipment, lab material etc. In the case of biotechnology, a field in which Cuba has achieved important advances, there is a ban on agreements with United States enterprises that could otherwise contribute to major developments in the production and trading of related products. Two Cuban scientists invited to participate in an event on biotechnology were denied visas to enter the United States.

United Nations Environment Programme

[Original: English]
[13 June 2003]

In 2002 and 2003, UNEP has been providing support to the Government of Cuba in the following areas: (a) establishing cooperation with Cuba related to the *Global Environmental Outlook* report and its follow-up, including for youth; (b) legal technical assistance for drafting environmental legislation within the framework of the Latin American Parliament; (c) joint publications, research, diploma courses and studies on environmental issues, such as environmental health and dissemination of information; (d) the signing of a memorandum of understanding for undertaking joint activities by UNEP, the Ministry of Science, Technology and the Environment of Cuba and the Secretariat of Environment and Natural Resources of Mexico; (e) Cuba is one of the beneficiaries of a GEF project on environmental citizenship, to be implemented by UNEP; and (f) the Director of the UNEP Regional Office for Latin America and the Caribbean visited Cuba in relation to the environmental assessment of the destruction produced by the passing of the hurricanes Isidore and Lili through the island.

Food and Agriculture Organization of the United Nations

[Original: English]
[12 June 2003]

Introduction

1. In Cuba, international development cooperation developed more meaning following the collapse of the socialist bloc, the disintegration of the former USSR and the intensification of the economic embargo of the United States, which has affected the country for more than 40 years. In the 1990s, the economic difficulties resulting from the embargo brought forth an economic era known as the "special period", during which Cuba intensified its search for additional financial resources, to satisfy the basic food and health needs of the population and to reactivate the economy, among other priorities.

Technical assistance to Cuba

2. For many years, most Food and Agriculture Organization of the United Nations (FAO) technical cooperation activities in Cuba have been financed from the technical cooperation programme. Only since the year 2000 have there been projects funded from extrabudgetary resources by the Governments of Italy and the Netherlands, under the Government Cooperative Programme, and by the Cuban Government, through the Unilateral Trust Fund modality. At present, the total budget of ongoing technical cooperation projects represents US$ 1,492,169, while the programme funded from extrabudgetary resources amounts to US$ 1,535,089.

3. FAO attention has mainly focused on the agricultural and fishing sectors, as well as the conservation of natural resources. In addition, through projects responding to emergency situations, FAO has contributed to alleviate the effects of natural disasters (mainly hurricanes) that frequently afflict the island.

4. In 2002, FAO started a project as part of the special programme for food security, aimed at enhancing food security in Holguin, an eastern province of the country, identified as one of the most vulnerable to food insecurity.

5. In more general terms, a number of project operations in Cuba have been adversely affected by the economic embargo because of increased costs due to restrictions on the acquisition of fuel; the costly purchase of spare parts for agricultural machinery and transport; the increased cost of purchasing inputs and products, such as high-quality seeds which have to be bought from distant markets; and the increased cost of shipping and handling. These factors have also negatively influenced development, yields and profits of agricultural, forest and cattle activities and have depressed investments. Taken together, they have had a negative effect on development programmes.

Recent evolution of the economy

6. In 2002, the level of restrictions of the United States embargo to Cuba was maintained. The economic indicators for 2002 show a negative growth in the gross national product, which calculated at constant 1997 prices, reached 1.1 per cent, compared with 3 per cent during the same period in 2001.

7. The difficult economic conditions that prevailed in 2001 persisted through 2002, among the most significant being the high international price of petroleum and the negative financial effect resulting from the decrease in sugar production, as well as low sugar prices prevailing on the international market.

Effects of the embargo on agriculture and the food industry

8. Agriculture, hunting, forestry and fishing suffered a severe negative growth of -7.3 per cent in 2001; although there is still no precise information available on the value or amount of overall production of the sector for 2002, it is recognized that production did not satisfy domestic demand. In the case of agriculture, the comparison of data with the outcome of previous years does not show a significant change.

9. Agriculture has historically been an important sector in the Cuban economy. Until 1989, agriculture has consistently represented over two thirds of Cuba's export earnings (including sugar, tobacco and citrus). Despite the dramatic decline in Cuba's export earnings since 1989, agriculture still represented 57.9 per cent of the country's export earnings in 1996 and 43.9 per cent in 1999.

10. In the area of agriculture, the effects of the embargo should be viewed from two different perspectives: the problems brought about by the impossibility of taking full advantage of the exportable potential to the nearest market (the United States) and the increase in costs for inputs needed for agricultural production, which influence the capacity of the sector to satisfy the local demand.

11. The effects of the embargo on exports, particularly coffee, honey and tobacco, have implied major losses due to the bans already noted, since it has been necessary to sell to markets located further away. In the case of tobacco, in 2002 the losses reached US$ 61 million. Income generated by the export of such goods constitutes the main source of financing for the production of other agricultural goods, which are essential to meet human food needs.

12. Similar effects have also been seen in the citrus industry, with losses amounting to US$ 5.5 million. The loss of exports of tropical fruits to the United States amounts to additional lost income of some US$ 25 million.

13. At the same time, the economy suffers from the high cost of imports for the acquisition of fuel, spare parts for agricultural machinery, phyto- and zoo-sanitary products, and fertilizers, directly increasing the costs of crop and cattle production, and thus resulting in decreased profitability. In the import of tyres alone, Cuba could save US$ 500,000 annually in freight if those imports came from the United States. In general, the cost of equipment would decrease by at least 20 per cent if purchased from the United States.

14. The lack of access to the United States market also means that high-quality technological products, such as herbicides, low-toxicity insecticides and other highly effective pesticides cannot be acquired at a competitive cost, and in many cases equipment, parts and disease diagnostic kits are only produced by United States firms. This has a negative effect, in particular on vegetable and animal health.

15. The production of meat and eggs decreased 78 and 50 per cent, respectively, in 2002, due to lack of animal feeds, minerals, vitamin supplements, genetic materials, incubation equipment, among others.

16. In the same period, scientific and technological exchange also suffered the effects of the embargo, making it impossible for Cuban professionals to attend technical and scientific events in the United States.

17. The value of agricultural products imported followed a downward trend, decreasing from US$ 728 million in 1996 to US$ 545 million in 1999. At the same time, exports registered a downward trend, declining from US$ 1,070 million in 1996 to US$ 676 million in 1999. Over the same period, the positive trade balance changed from US$ 342 million in 1996 to US$ 191 million in 1999, reflecting a decrease in the trade surplus. The main agricultural products imported by Cuba are wheat, pulses, milled rice, soybeans-cake, crude organic materials and dry skim cows milk, which in 1999 represented about 57 per cent of the value of all imported agricultural products. The main agricultural products exported by Cuba are raw centrifugal sugar and cigar cheroots, which in 1999 represented about 84 per cent of all agricultural exports in value, the former alone representing 70 per cent of exports.

18. One of the traditional areas affected by the embargo is the import of food products for human consumption, particularly those destined to meet social programmes. Those restrictions limit the quantity and quality of such products, thus having a direct effect on the food security of the population.

19. More specifically, the following effects have been noted:

(a) Cuba's purchasing capacity is reduced by lower profits from the export of goods, caused by increases in freight and insurance costs, due to the increased distance of accessible markets. In addition, bank costs have also increased, due to the restrictions on payments in United States dollars, and in many cases, the sales price has also been negatively affected, thereby decreasing profits derived from exports;

(b) The lack of commercial credit available from the United States has meant that Cuba is vulnerable to high interest rates charged by other countries;

(c) Restrictions on the imports of production inputs have led to delays in the cropping schedule, insect and disease control and prevention, and animal feeding, among other problems;

(d) There are restrictions on access to first-rate technology and production inputs developed and produced in the United States;

(e) There are also restrictions on access to and exchange of scientific and technological information and products.

Effects of the embargo on the activities of national organizations from the food and fishing industries

Food industry

20. The restricted access to the United States market for Cuban export products has effectively prevented the generation of higher income from the sale of those goods. Such additional income could have been used for the acquisition of necessary staple food products. For example, the export of Havana Club Rum can potentially generate a gross income of US$ 38 million.

21. The difficulties associated with acquiring containers and inputs for the food-processing industry in the United States imply higher freight costs for current imports. In addition, Cuba has not been able to access United States-subsidized food products, resulting in a loss of more than US$ 20 million.

22. Other important contributions to increasing costs in 2002 include added legal expenses related to patenting and property rights cases, losses due to confiscation of funds and goods, and banking transactions, which amount to approximately US$ 1 million.

Fisheries

23. Almost all of Cuba's fish exports consist of high-value products, notably frozen shrimp and lobster, which are in strong demand on the international market. Export earnings amounted to US$ 69 million and a total weight of 6,420 tons in 2001. On the other hand, fish imports, consisting mainly of low-value fish products, amounted to US$ 34 million and a total weight of 34,000 tons, which amounts to about 26 per cent of the domestic fish supply.

24. United States regulations are considered an obligatory reference for the fishing sector. Many governmental and non-governmental organizations have issued regulations and guidelines for fish products, which transcend the borders of that country. On the other hand, the United States is considered to be a major supplier of fishing technology and industrial goods. At present, the United States is the only supplier of certain measuring instruments and testing techniques used in food-safety control of fishing products. All this places Cuba at a disadvantage in relation to other countries from both a commercial and a technological viewpoint.

25. The level of exports of Cuban fish products reached approximately US$ 100 million. The commercialization of those products is negatively affected by the increased costs associated with having to sell in more distant markets, such as Europe and Asia.

26. The income generated through the export of highly valuable products, such as lobster and shrimp, is used in the purchase of food products to satisfy the domestic demand; thus, a decrease in export income affects food security. The additional expenses incurred through exports under the embargo conditions, in the reference period, amount to a total of US$ 602,800.

27. The effect of the embargo on the import of inputs and supplies for fishing operations, caused by the increased risk of trading with Cuba and by the increased cost of transportation, is estimated to total approximately US$ 1,260.2 and 174.9 million, respectively. In addition, non-access to specialized supplies, such as protein isolates, requires the implementation of expensive production strategies, which demand a higher-rate financial investment and the use of intermediaries and are affected by erratic exchange rates, among other things, causing an estimated total loss of US$ 119,480.

28. The construction and repair of fishing vessels has also been affected by the high exchange rates and by the limited availability of spare parts, with the loss estimated at US$1,250,000. To cover increased freight costs, an additional US$ 267,840 was required.

29. In total, estimated losses of the fishing industry in 2002 were:

Item	*Millions of United States dollars*
Freight	548.9
Risk associated with trade with Cuba	1 878.0
Duties	496.7
Exchange rates	751.6
Total	**3 675.2**

United Nations Human Settlements Programme

[Original: English]
[3 June 2003]

1. Human settlements, including housing, infrastructure and services, face particular development challenges in Cuba since it is an island State affected by frequent natural disasters. Those challenges are exacerbated by the economic, commercial and financial embargo imposed on Cuba. Human settlements construction and maintenance, as well as reconstruction after natural disasters, require a stable supply of materials and equipment that is seriously affected by the embargo.

2. While it is difficult to make an accurate quantitative assessment of the impact of the embargo, it is clear that shelter conditions have been badly affected by the insufficient supply of imported building materials. Access to low-cost, affordable cement and construction iron has significantly reduced the coverage of programmes aimed at reducing the qualitative deficit on housing, and equally important has affected the response to the housing reconstruction needs resulting from destructive hurricanes in 2001 and 2002, in both cases primarily affecting the most vulnerable sectors of the population.

3. Limited access to energy sources and ensuing high fuel costs and shortages have a serious impact on urban transport, increasing production costs and negatively affecting the effective performance of social and urban activities. Restrictions in the access to fuel also render inefficient and often environmentally unsustainable the provision of services, such as solid waste collection and disposal, sanitation and water supply. Limited access to low-cost chemicals and equipment for water and wastewater treatment reduces the quality of those services, with resulting impacts on the environment and public health.

4. Despite those restrictions, the country has been able to achieve a level of human settlements development that favourably compares with those of many developing countries. Technological and management innovation has made this possible, but at a cost that precludes substantial improvements in quality of life, infrastructure and services. The country is also striving to promote close collaborative activities in the sector with other countries of the Latin America and the Caribbean region, playing a key role in the regional forum of ministers and lead authorities of the housing and urban development sector.

5. The current cooperation of the United Nations Human Settlements Programme with Cuba focuses on strengthening local capacities for improved urban planning and management. In the context of a decentralization strategy, efforts aim at the

improved mobilization, planning and use of local resources to address urban environmental issues, thus assisting in alleviating the negative effects of the embargo on the urban population.

United Nations Industrial Development Organization

[Original: English]
[16 June 2003]

1. In its resolution 47/19, the General Assembly decided on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

2. More than 10 years after the approval of the first resolution condemning the United States embargo against Cuba, the General Assembly of the United Nations must consider this issue again at its fifty-eighth session.

3. Despite pressure from various political, civil society and business groups to relieve or even lift the economic sanctions imposed by legislation in force in the United States of America, many of the economic, commercial and financial measures that were imposed on Cuba some four decades ago are still being implemented.

4. The 1990s meant for Cuba the most difficult economic period since the Revolution in 1959. Significant changes have been introduced in Cuba's economic policy to deal adequately with the new international environment that has emerged throughout the last decade, marked by a sharp reduction in the country's trade and cooperation links with nations all over the world.

5. Among the most important steps taken by Cuban authorities during the period, one should mention the active promotion of foreign direct investment and other types of financing; export promotion, including services, particularly tourism; the decentralization of foreign trade; the implementation of a legal and monetary framework to allow the circulation of hard currencies; and the establishment of a system for tax administration.

6. One of the main impacts of the policy of embargo is precisely the impossibility of accessing the main world's industrial market, which includes industries from third country-based subsidiaries.

7. In spite of the continuous attempts by the United States Government to minimize the effect of its policy towards Cuba, the damage caused by its economic, commercial and financial embargo is real and significant, both for the country's growth and economic development and its population's well-being. It also blurs the climate that should prevail in the field of international trade and raises very negative implications for third States and companies under its jurisdiction.

8. Overall industry in Cuba has an obvious technological lag in relation to international standards. The main problems facing industry include high-energy consumption, low automation levels, obsolete and inefficient technologies, low capacity utilization and lack of inter-industrial cooperation.

9. The United Nations Industrial Development Organization (UNIDO) promotes industrial development in the country through its integrated programme approach.

Since 1999, the integrated programme to support the national strategy on industrial competitiveness in Cuba has been under way. The Government of Cuba requested UNIDO to orient the activities of the programme towards those sectors of the national industry which had to increase their direct contribution to the development of tourism, thereby helping to reduce the expenditures for foreign exchange for the acquisition of inputs, which would be produced domestically. In that context, UNIDO has been providing assistance to priority industrial sectors, such as those covered by the ministries of food, environment and basic industries, among others.

10. UNIDO believes that the catalytic impact of the above-mentioned programme is important for the socio-economic development of Cuba.

United Nations Population Fund

[Original: English]
[24 June 2003]

1. Cuba continues to face critical economic difficulties, which have prevailed since the early 1990s following the disruption of trade relations with its former trading partners of Eastern Europe. The United States economic embargo, imposed on Cuba over four decades ago, has worsened the situation and contributed to further deteriorating the quality of life of the Cuban population. The scarcity of financial assistance and severe restrictions on imports due to financial constraints have taken their toll on the quality of basic social services, with repercussions for the health sector, as evidenced by periodic shortages of medicines, medical equipment and spare parts and the deterioration of primary health-care facilities.

2. The import restrictions imposed by the United States embargo have a direct impact on the population's reproductive health status: although the Cuban population has ample knowledge of the most common contraceptive methods and those methods are in high demand, there are severe limitations to their availability and quality, as well as to medicines for the treatment of sexually transmitted diseases, equipment for emergency obstetric care and other commodities related to sexual and reproductive health. The oral contraceptive factory built with United Nations Population Fund (UNFPA) support has an annual production capacity of 500 million pills, but the shortage of raw materials does not allow the plan to meet the national demand, therefore limiting the capacity of Cubans to exercise their reproductive rights. The production of sanitary napkins, another basic reproductive health commodity, is also hampered by restrictions on imports of raw materials.

3. In spite of the scarcity of funds, Cuba has managed to contain the HIV/AIDS epidemic and incidence is low in comparison with other Caribbean countries. However, the number of HIV-positive cases has increased in recent years, mainly among males aged 25-34. The growth of the tourism sector, while contributing to a slight economic recovery, represents a significant risk factor. The shortage of condoms for AIDS prevention is a major concern. In 2002, the availability of condoms continued to be insufficient to meet the estimated 60 million required to cover yearly requirements. The approval of a grant by the Global Fund on AIDS, Tuberculosis and Malaria in the amount of $11 million for the next two years may partly alleviate the situation.

4. With regard to adolescents and youth sexual and reproductive health, there is an important demand for information and educational materials related to HIV/AIDS, while the prevention of unwanted pregnancies still remains a matter of concern. Moreover, the high abortion rate, particularly among women under age 20, requires that massive information campaigns, counselling services, training of providers and appropriate contraceptive methods be made available to the population in order to decrease its incidence.

5. The economic embargo has also affected the delivery of services to Cuba's growing elderly population. Due in part to the financial restrictions and consequent shortages of adequate equipment, the Government is unable to fully meet the needs of this population group, particularly in terms of housing, maintenance, medical supplies and equipment for nursing homes and day-care centres. More support will be needed in the future as the elderly population continues to increase and the country's demographic transition process continues to advance.

6. UNFPA's current programme of assistance to Cuba aims to maintain the country's current reproductive health standards and to improve the quantity, quality and variety of available contraceptives — mainly through procurement of condoms, IUDs and injectables, as well as to establish and strengthen sexual education in the formal school system. Although UNFPA has channelled several bilateral grants to cover contraceptive shortfalls in 2002, development assistance is still insufficient to compensate for the severe limitations related to the economic embargo.

United Nations Office on Drugs and Crime

[Original: English]
[10 June 2003]

1. Despite scarce material resources, Cuba continues its efforts to contribute to regional and international drug control through sea and air interdiction. There is strong political will and concrete action to prevent drug trafficking and abuse on the island and to cooperate with regional and international partners in the fight against drugs. For instance, in January 2003 Cuba held the second Regional Conference on Drug Control in the Caribbean to discuss approaches and strategies for drug prevention and control measures.

2. The United Nations Office on Drugs and Crime supports the efforts of the Government of Cuba to strengthen national technical and other capacities in drug control in the context of a technical cooperation project, which focuses on prevention and treatment of substance abuse and makes full use of Cuba's extensive health and education system.

World Health Organization/Pan American Health Organization

[Original: English]
[23 May 2003]

1. The embargo has had a significant negative effect on the national economy, which in turn affects the allocation of resources for priority social sector areas. The economic sector distributes a portion of the resources obtained in foreign exchange to the social sectors, with public health being a major priority. Thus the negative

economic effects of the embargo have an impact on the health sector and the well-being and quality of life of the population.

2. The national health system has an infrastructure with 350,000 workers, 14,500 physician's offices for family doctors and nurses, 444 polyclinics, 220 hospitals, 272 maternity homes, 172 elderly homes, 141 nursing homes, and institutes and research centres that require significant amounts of resources. Some of those resources must be imported, and due to the embargo Cuba must utilize the markets from other countries and continents, which in turn increases costs and prolongs transport time. This not only has an impact on the economy but also the national health system and the health of the population, especially vulnerable groups, such as children, pregnant women, the elderly and the disabled.

3. The embargo also affects the quality of services that are provided to the population, especially due to the difficulty in acquiring supplies and medicines made in the United States or produced by subsidiaries of United States companies. Those companies are not allowed to trade with Cuba due to the embargo. Some examples are described below.

4. The firm MDS Nordion from Canada sold the production of high-dose brachytherapy equipment to the United States firm VARIAN. That equipment is used for the treatment of prostate and uterine cancer. Cuba has not been able to obtain export permits pertaining to IR 192 in order to purchase the equipment and therefore cannot apply treatments and provide this essential service.

5. Also affected are the areas of diagnostic imaging and oncology, as well as those of advanced transplant technology, cardiovascular surgery, nephrology, and clinical and microbiology laboratories. The United States market produces approximately 70 per cent of these types of equipment and supplies. This results in a huge increase in costs necessitated by purchasing from the European market.

6. One of the areas most affected by the embargo involves care for children with cancer because the sale of the cytostatics to Cuba is prohibited for United States companies. Therefore, the health system is forced to purchase cytostatics through third parties or from markets in Europe and Asia, significantly increasing costs, especially in regards to shipping and transport.

7. The incidence of congenital heart diseases in Cuba remains near the international average of 8 per 1,000 live births. According to the annual birth rate, every year more than 1,000 children with those disorders are born in Cuba. For the treatment of those problems, there has existed since 1986 the Cardiocentro and a national network of paediatric cardiologists. However, treatment and operations require sutures, vascular grafts, catheters for hemodinamics, extracorporeal equipment oxygenators, ventilators for prolonged respiratory support and new-generation antibiotics. The majority of that type of equipment and supplies are made by United States firms, which forces the health system to resort to third parties, with a significant increase in costs.

8. The programme for childhood transplants is still significantly affected since it is impossible to acquire the appropriate technology. Despite the availability of specialists, a number of children in need of those necessary but risky procedures have been transferred to other countries, which has resulted in a very high financial cost as well as the added impact on the family, both to the patient and to his or her parents.

9. The programmes geared towards early detection of gynaecological cancer, both for cervical, uterine and breast cancer, have also been seriously affected. There are inconveniences and delays in the acquisition and replenishment of supplies, in addition to the serious problem of cytostatics procurement.

10. The difficulties derived from the embargo have made it impossible to eradicate the waiting lists for several types of technical orthopaedics, such as prosthetic legs (277) and orthesis (1,063). That situation is even worse as the demand for prosthesis for the elderly grows. A recent study on disability showed a current need for over 15,000 wheelchairs in the country.

11. With regard to HIV/AIDS, there is limited access to such drugs as Itraconazole and Fluxonazol, which are expensive but necessary for the treatment of cryptococcosis, one of the most opportunistic diseases that HIV-infected patients suffer from.

12. Merck Laboratories, after having contacted the Cuban authorities in order to do field trials for protease inhibitors, has been refused authorization by the United States Department of the Treasury.

13. A project to study the rotavirus in Cuba through financial contributions from scientific institutions from the United States has also not been approved. The study is important because it would reveal the magnitude of the mutation of the rotavirus in the country, which would be an essential element for future acquisition of vaccines against the disease.

14. Another example is in the area of vector control. Last year, Cuba had to purchase such supplies as pesticide, spare parts, flashlights and batteries at a cost of close to US$ 4 million. Had those same materials been purchased from the United States, the resulting savings would have been US$ 758,798.

15. There exist other sensitive areas that are affected by the aforementioned embargo, such as education and research. For example, on 10 April 2003 the United States Department of Trade denied a licence for the donation of 423 computers, which would have been used for several important projects, namely:

(a) Some 145 computers would have supported a longitudinal study of the 80,000 residents of the La Juventud Island, with the objective of identifying effective strategies for the prevention of chronic renal disease. The respected Dr. Barry Brenner of Harvard University wrote an eloquent letter, pointing out that Cuba was the only place in the world where that type of study could be conducted, and would have provided an indispensable contribution to international efforts to stop the outbreak of those diseases on a worldwide scale;

(b) Some 91 computers and accessories would have equipped the Institute of Nephrology and the national network of care for patients with renal problems. The donation would have made it possible to link all nephrology services in the country, giving technical contribution to substantially improve the coordination for carrying out renal transplants. This is a very sensitive procedure because its efficiency helps determine the survival of patients;

(c) Some 30 computers and accessories would have equipped the Cardiocentro of the William Soler Teaching Pediatric Hospital and the national network of paediatric cardiologists, providing necessary support for better monitoring of the 10,000 children and young people throughout the country that

have had surgery at the centre. The computers would also improve communications for the earliest detection of congenital malformations and its control, as well as being used for education;

(d) The donations would have provided 126 computers for the use of students, professors and the institutional library at the Latin American School of Medical Sciences. Currently, 6,200 students from Latin America, the Caribbean and Africa receive grants from Cuba to study at that medical school.

16. In addition there is no access to United States scientific publications and periodic journals. The purchase of that material and direct payments to United States banks are prohibited.

17. Invitations for Cuban scientists to travel to the United States have also been denied by the Government. In the last year, 16 researchers and professors have not been able to participate in important events to which they were invited by United States organizers because the United States Government refused to grant the necessary visas.

18. Due to the embargo, Cuba does not have access to grants for research and development, in spite of the recognition by the United States scientific community of the scientific potential of Cuba. Moreover, United States researchers and scientists have limited possibilities to exchange and share with their Cuban peers in the process of scientific and technological development, because they are not granted permission to travel to Cuba and participate in scientific events.

19. From the standpoint of cooperation of the Pan American Health Organization/World Health Organization in the country, the embargo has generated gaps that impede the mobilization of scientific, technical and financial resources between Cuba and the United States. In that regard, Cuba cannot access United States international cooperation institutions in order to promote the sharing of experiences for problem-solving and the development of capacities within both countries. One example is the technical cooperation among countries strategy, which cannot be developed between Cuba and the United States.

World Food Programme

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[29 May 2003]

Some World Food Programme food donations destined to Cuba are affected by the embargo in view of the fact that all shipments must be transferred in Jamaica to boats that are not affected/covered by the embargo, which causes delays and sometimes some losses.